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REPORTS

ON

CIVIL JUSTICE IN BURMA

FOR

THE YEAR 1891.

RANGOON:

PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRINTING, BURMA

1892

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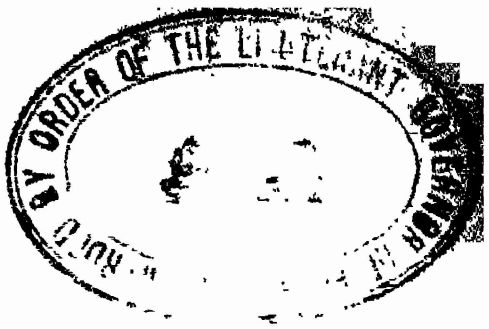

RESOLUTION

ON

THE REPORTS ON CIVIL JUSTICE IN BURMA

FOR

THE YEAR 1891.

Extract from the Proceedings of the Chief Commissioner, Burma, in the Judicial Department,—No. 34-R., dated the 20th September 1892.

READ—

Reports by the Judges of the Special Court, the Recorder of Rangoon, and the Judicial Commissioners, Lower and Upper Burma, on the Administration of Civil Justice in their respective jurisdictions during the year 1891.

LOWER BURMA.

RESOLUTION.—The number of civil suits instituted in Lower Burma in 1891 was 36,214, being 484 more than in the preceding year. This slight increase is wholly attributable to the Courts in Rangoon, for there was a decrease of 40 suits outside the provincial capital. In the Recorder's Court at Rangoon there were 217 institutions against 168, and in the Small Cause Court there were 5,395 against 4,916 in 1890. Outside Rangoon a comparison between the returns of 1890-91 discloses few important variations. In Prome trade has been depressed by the exhaustion of cutch and the diversion of the Mandalay traffic from the river to the railway; the number of suits instituted in this district fell from 3,035 in 1889 to 2,061 in 1891. An increase in Henzada and a decrease in Bassein are explained by the transfer of the Lemyethna township from the one to the other district. In Moulmein and Akyab towns the Debtors Act is said to have diminished litigation, and the Officiating Chief Commissioner concurs with the Judicial Commissioner in regarding this result as satisfactory. There was an increase from 1,338 to 1,439 in suits for immoveable property, and there were trifling fluctuations under other heads, but on the whole the classification of suits differs very little from that of the previous year. Insolvency business decreased in the Recorder's Court from 40 to 38 and in the Moulmein Judge's Court from 34 to 28 applications. The number of suits exceeding Rs. 1,000 but not exceeding Rs. 2,000 in value which were filed in the Small Cause Court, Rangoon, fell from 87 to 80. The increase in institutions in that Court was therefore wholly in small causes.

Amount and classification of litigation.

2. In the disposal of business there was no striking change from the returns of 1890. Contested suits numbered 12,982 out of 37,832 cases before the Courts. Plaintiffs won 11,903 suits without contest and 9,250 after trial or arbitration. The number of pending cases at the close of 1891 was 1,421, being 43 less than in the preceding year. The average duration of cases rose in the Rangoon Small Cause Court and the pending file increased from 342 to 371, but the number of cases pending for over three months was the same as at the end of 1890, namely, 114. There is, therefore, no reason to suppose that the Court is getting seriously into arrears.

Disposal of business.

In the course of the year the Judicial Commissioner tested the returns showing the average duration of cases and came to the conclusion that they were generally correct. He found that there was less disposition on the part of litigants to delay than was common in Bengal and Bombay, and that the greater simplicity of the cases favoured their more rapid decision. The Officiating Chief Commissioner sees no reason for dissenting from these conclusions.

Execution of decrees.

3. Applications for execution of decrees increased from 10,955 in 1890 to 11,597 in the year of report. Full satisfaction was obtained in 3,634 cases against 3,565 in the previous year, while 5,289 applications were wholly infructuous. In the Recorder's Court creditors were more fortunate, as 62 out of 171 obtained full, and 34 obtained partial, satisfaction, while only 66 got nothing at all. There was a further decrease in imprisonments, which numbered only 163 against 177, and also in arrests, which fell from 747 to 592. The Judicial Commissioner reports that many applications which are returned as wholly infructuous have served to obtain money out of Court, and that as a matter of fact suitors get satisfaction with less difficulty in Burma than elsewhere. The Officiating Chief Commissioner is pleased to believe that the facts are better than the returns. The imprisonment of eleven debtors at Mergui appears to call for further enquiry.

Appeals.

4. The number of appeals from decrees was 1,634 as compared with 1,681 in the previous year. The number of appeals to Deputy Commissioners was 44 less than in 1890. There was a considerable decrease in the Prome district coincident with the general decrease in civil litigation in that district. The Henzada district showed an increase of 35 and the Bassein district a decrease of 45 owing, presumably, to the transfer of the Lemyethna township; in Thôngwa also the number of appeals rose from 94 to 127. The disposal of appellate business was prompt, the average duration in different districts ranging from 10 to 40 days, and at the close of the year only one appeal had remained pending for over three months. In the Bassein district there was a further decrease in average duration, and in the Shwegyin district the average fell from 52 to 20 days. The proportion of confirmations to appeals heard was 67 per cent., being 2 per cent. higher than in the preceding year. Commissioners disposed of 32 appeals against 18 in 1890, but the average duration of their appeals fell from 63 to 51 days and in the Irrawaddy division from 127 to 80 days. This latter satisfactory decrease is no doubt due to the relief afforded in criminal business by the Additional Sessions Judge. There should be a further decrease in the current year, as the Commissioner of the Irrawaddy division has now been relieved of all Sessions trials. Regular appeals in the Judicial Commissioner's Court were 138 in number against 148 in 1890. In 66 per cent. of the appeals the decrees of the Lower Court were confirmed. This percentage, like most of the figures in the report, closely approximates to that of 1890, when it was 64 per cent. The Officiating Chief Commissioner observes with satisfaction that the proportion of confirmations has risen in four years from 53 to 66 per cent.

Cost of litigation.

5. The percentage of total costs to the total value of suits fell from 10·56 to 9·40. It diminished in the Rangoon Small Cause Court from 12·38 to 11·87, and rose in the Recorder's Court from 5·11 to 13·59. In the Moulmein Judge's Court the percentage of

costs was only 2·67. The Courts outside of Rangoon issued 112,483 processes against 112,952 in the preceding year. The receipts diminished from Rs. 76,434 to Rs. 74,256 and the estimated charges from Rs. 55,602 to Rs. 40,292. As one establishment now serves processes of all sorts, civil, criminal, and revenue, the Civil Courts are debited with one-third of the cost of the process-servers. The Recorder's report still omits the statement of process-serving receipts and charges which was asked for last year. Excluding Rangoon Town, the only districts in which the receipts did not exceed the charges are Kyaukpyu, Prome, Amherst, and Toungoo.

Advocates

6. The new rules for the admission of Advocates were under discussion during the year of report and were not published until the current year. They provide for the annual verification of second and third grade licenses and will, Mr. Fryer hopes, prevent a repetition of the frauds which were discovered in 1890.

Inspection.

7. There was a considerable improvement in the amount of inspection performed by Deputy Commissioners. The Deputy Commissioners of Akyab and Amherst, who left uninspected two and six Courts respectively, must repair the omission in the current year. Commissioners also did more inspection, but in the Irrawaddy division the Commissioner should have been able to visit more Courts.

8. Mr. Fulton succeeded Mr. Ward as Judicial Commissioner on the 15th May 1891. Mr. Ward visited four and Mr. Fulton nine districts during the year. The province is indebted to Mr. Fulton for his careful supervision of the department of civil justice. The Officiating Chief Commissioner will be glad to learn from future reports the names of officers whom the Judicial Commissioner may consider deserving of mention for good work in the Civil Courts.

Upper Burma.

Amount and classification of litigation.

9. The number of suits instituted was 9,418, being a slight increase of 80 over 1890. In the Civil Court of Mandalay the number of institutions decreased from 1,074 to 1,049. The decrease is attributed to many causes which may be reduced to three, namely, decline of trade, settlement in the previous year of old disputes, and operation of the Registration and Stamp laws. The number of rent suits increased from 195 to 343. The report does not state whether these suits were for house-rent or for agricultural rents. Suits for land decreased from 1,686 to 1,570. They were most numerous in the districts of the dry zone, namely, the Southern division, the Meiktila and Yamèthin districts of the Eastern division, and the Sagaing and Lower Chindwin districts of the Central division. In other districts the abundance of culturable land, or the ownership of the land by the State, or the custom of holding land in common, prevents disputes from being prosecuted in the Courts. Suits on written obligations decreased from 2,362 to 1,971 owing to the elimination in previous years of doubtful claims founded on old documents and to the operation of the Stamp law. The Judicial Commissioner again remarks on the complexity of land cases and the difficulty of testing the authenticity of documents written on *parabaik*. The Officiating Chief Commissioner awaits his final report on the suggested compulsory registration of all existing parabaiks. Mr. Fryer will also be glad

to learn the result of the Judicial Commissioner's deliberations regarding special arrangements for the trial of land cases. He entirely agrees in the view that the matter is one of much importance and that landholding Civil Judges should not try cases in which they may be suspected of having a personal interest. The average value of suits instituted fell to Rs. 119. There was an increase from 817 to 1,145 of suits not exceeding Rs. 10 each in value. While the Courts must no doubt be open to all who wish to resort to them, the Officiating Chief Commissioner does not desire that the people should be encouraged to bring to Court petty cases which headmen might settle.

Disposal of business.

10. The disposal of cases was better than in 1890. Although the total number of pending cases at the close of the year rose from 404 to 425, the total pending for over four months fell from 85 to 26. The average duration of contested cases rose from 20 to 22 days and that of uncontested cases fell from 20 to 15 days. The figures for 1890 were, however, admittedly incorrect. The average for both classes of cases is precisely the same as in Lower Burma.

Out of 9,828 cases which came before the Courts, the plaintiffs succeeded wholly or partly in 4,918 cases and compromised 1,425 more. In contested suits the plaintiffs won 2,776 and lost 1,176 cases. Fewer cases were referred to arbitration, a fact which may perhaps be attributed to the absence from the Civil Justice Regulation of any provisions for such references and the growing reluctance of Judicial Officers to act without the sanction of a written law. As in 1890, there were most arbitrations in Yamèthin and none in Pyinmana. The Judicial Commissioner is requested to state what action has been taken towards encouraging references to arbitration.

Execution of decrees.

11. Applications for execution numbered 1,832 against 1,447 in 1890. Among these, 929 were fully and 400 partially satisfied, from which it appears that 79 per cent. of the applicants got all or part of the money due to them. These figures are satisfactory.

Appeals

12. The number of appeals to Deputy Commissioners increased from 520 to 599, and the Judicial Commissioner reports that a great deal of revisional work was done in addition. In 330 appeals, forming 58 per cent. of the total, the decision of the Lower Court was confirmed. Appeals, like original suits, were more numerous in the Southern division than elsewhere outside Mandalay. Appeals were promptly disposed of, the average duration for all Deputy Commissioners' Courts being 31 days, but the figures for the Bhamo, Ruby Mines, and Shwebo districts suggest that the average has been wrongly calculated. Commissioners disposed of only two appeals. The Judicial Commissioner received 42 regular appeals against 50 in 1890 and confirmed the Lower Court's decree in exactly half of them. The number of reversals in appeals from the Civil Court of Mandalay indicates some want of care on the part of the Civil Judge. There were also 38 miscellaneous appeals and 209 revisional cases in the Judicial Commissioner's Court. There is no record of revisions in Deputy Commissioners' Courts. The Officiating Chief Commissioner concurs in the opinion that the time has come for replacing revisions by regular appeals in the district courts, and the introduction of the Civil

Procedure Code simultaneously with the enactment of a Courts Regulation is now under consideration.

Cost of litigation.

13. The percentage of costs to values of suits varied in different districts from 9·3 per cent. in Ye-u to 12·55 per cent. in the Mandalay district; in Mandalay Town it was 10·18 on the superior side and 14·86 on the Small Cause side of the Civil Court. The average for all Upper Burma was 11·25, being 1·85 higher than in Lower Burma, and ·27 lower than in the previous year. The charges for processes were not sufficient to cover the cost of serving them and the deficit was Rs. 8,837 against Rs. 8,831 in 1890. The Officiating Chief Commissioner observes that the Judicial Commissioner has instituted an enquiry into the matter and that he intends to propose a single establishment for serving civil, criminal, and revenue processes. There can be no doubt that such a measure is advisable, and Mr. Fryer will be obliged if the Judicial Commissioner will, in consultation with the Financial Commissioner, bring forward his proposals at his convenience.

Miscellaneous

14. The Judicial Commissioner's remarks on the provision of court-houses will be considered in the Public Works Department. It must, however, be remembered that the calls on the Public Works budget are many, and that several are more urgent than the construction of court-houses in remote townships. The Officiating Chief Commissioner will be glad to receive a more detailed account of the inspection work performed by Commissioners and Deputy Commissioners and by the Judicial Commissioner himself. Mr. Hodgkinson was Judicial Commissioner until the 28th December 1891, when his sudden death deprived Upper Burma of an able and experienced officer The Officiating Chief Commissioner has to thank his successor, Mr. Burgess, for an interesting report.

By order of the Chief Commissioner,

F. C. GATES,
Junior Secretary.

THE

CIVIL JUSTICE REPORT

OF

LOWER BURMA

FOR

The year 1891.

PART I.

Courts exercising Jurisdiction in the Town of Rangoon.

SPECIAL COURT OF LOWER BURMA.

CIVIL.

DURING the year 1891 there were seven regular appeals preferred from the decision of the Judge of the Court of the town of Moulmein, one from the decision of the Commissioner of the Irrawaddy Division, and one from the decision of the Commissioner of Pegu (the two latter being cases under the Indian Divorce Act), making in all nine appeals as against 13 in the previous year. There were three appeals pending from the previous year. Thus there were 12 appeals for disposal during the year, of which seven were disposed and five remained pending at the close of the year.

2. The following table shows the result of the regular appeals:—

Number of appeals pending at the close of the previous year.	Number of appeals presented in 1891.	Total for disposal.	Results.					
			Confirmed.	Dismissed.	Modified.	Reversed.	Remanded.	Pending.
3	9	12	...	3	1	2	1	5

3. Besides the above there were four miscellaneous appeals, of which three were appeals preferred from the decision of the Recorder of Rangoon in his Insolvency jurisdiction and one from the decision of the Judge of the town of Moulmein also in the Insolvency jurisdiction. The three from the Recorder's decision were disposed of during the year, the orders being confirmed; one remained pending at the close of the year, and there were three miscellaneous applications filed during the year, two of which were for the revision of orders passed by the Judge of the town of Moulmein. These were disposed of during the year, and the other was an application for review of judgment of this Court which was pending at the close of the year.

4. There were seven references made to this Court during the year, of which four were made by the Recorder of Rangoon under section 17 of the

Indian Divorce Act, one by the Commissioner of Pegu also under section 17 of the Indian Divorce Act, and the other two were references by the Judicial Commissioner under section 67 of the Lower Burma Courts Act (XI of 1889).

5. The revenue of the Court during the year from court-fee stamps amounted to Rs. 2,696-15-0 and the expenditure to Rs. 1,200. In the previous year the revenue was Rs. 6,301-12-0 and the expenditure Rs. 1,450.

6. The Judges of the Special Court from 1st January to 14th May 1891 were Mr. W. F. Agnew and Mr. W. E. Ward, and from 15th May to 31st December 1891 were Mr W. F. Agnew and Mr. E. M. H. Fulton.

RANGOON :
The 10th May 1892.

W. F. AGNEW,
E. M. H. FULTON,
Judges.

Report on the administration of Civil Justice in the Court of the Recorder and in the Court of Small Causes, Rangoon, for the year 1891.

COURT OF THE RECORDER OF RANGOON.

THE following tables show the work of the year and the fees realized in comparison with the previous year:—

Year.	Number of suits instituted.							Number of suits disposed of.							Number of suits pending.							Value of suits instituted.	Value of suits disposed of.
	Regular.	New trial.	Review.	Vice-Admiralty.	Insolvency.	Miscellaneous and executions.	Total.	Regular.	New trial.	Review.	Vice-Admiralty.	Insolvency.	Miscellaneous and executions.	Total.	Regular.	New trial.	Review.	Vice-Admiralty.	Insolvency.	Miscellaneous and executions.	Total.		
																						Rs.	Rs.
1890 ...	168	...	5	4	40	439	656	211	...	5	9	54	479	758	54	...	1	...	12	33	100	7,44,281	21,73,565
1891 ...	217	...	1	1	38	519	776	181	...	1	...	40	530	752	90	...	...	1	10	22	123	7,23,806	4,29,999
Increase ...	49	...	...	...	...	80	120	...	...	...	...	...	51	...	36	...	...	1	...	...	23	...	...
Decrease ...	...	...	4	3	2	...	...	30	...	4	9	14	...	6	...	...	1	...	2	11	...	20,475	17,43,566

Statement of Court-fees realized.

Year.	Process-fees.			Amount realized under Act VII of 1870, Schedule I, Articles 1—9 inclusive.			Amount realized under the same schedule, Nos. 10—12.			Amount realized under Schedule II.			Total.		
	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
1890	2,768	3	0	27,291	4	0	15,926	0	0	1,895	10	0	47,881	1	0
1891	3,779	4	0	27,015	12	0	20,058	0	0	1,508	15	0	52,361	15	0
Increase ...	1,011	1	0	...			4,132	0	0	...			4,480	14	0
Decrease ...	...			275	0	0	...			386	11	0	...		

2. The result shows an increase in the institution of 49 regular suits and 80 miscellaneous and execution cases as compared with the previous year. There is a decrease in the value of suits instituted by Rs. 20,475. The value of suits disposed of has also decreased. There is an increase in the court-fee stamps by Rs. 4,480-14-0.

Insolvency Jurisdiction.

3. The following table shows the particulars of the insolvency business:—

Number of persons whose applications were pending at the close of 1890.	Number of petitions filed during 1891.	Number of persons.	Total number of persons.	Personal discharge granted.	Final discharge granted.	Adjudicated insolvent.	Dismissed.	Rejected.	Withdrawn or annulled.	Struck off in default.	Pending.	Adjourned *sine die*.
13	38	43	56	25	3	8	4	...	4	...	12	...

4. The following table shows the classes to whose estates probates and letters-of-administration granted during the year and the value of the estates:—

Class.	Number of probates granted.	Number of letters-of-administration granted.	Value of estates.
			Rs.
Europeans and Eurasians	12	19	2,90,268
Buddhists { Burmese	...	2	11,865
Buddhists { Chinese	1	3	4,42,500
Mahomedans	2	8	2,45,050
Hindus	1	6	54,372
Jews	...	1	1,500
Total ..	16	39	10,45,555

In the previous year 12 probates and 34 letters-of-administration were granted. The value of the estates amounted to Rs. 8,98,511.

5. There were 44 applications made to this Court for revision of the judgments and orders passed by the Small Cause Court, Rangoon. In 11 cases judgments were set aside, two withdrawn, one remanded; in 28 of these the applications were dismissed and two remained pending at the close of the year.

6. There were three references made to this Court by the Small Cause Court; one was disposed of and two were pending at the close of the year.

7. There were eight appeals preferred to the High Court, Calcutta, from the decision of the Recorder and one appeal from an order appointing a Receiver. In the latter case, the High Court, with the consent of both parties, cancelled the order appointing the Receiver. One appeal was withdrawn as compromised and the remaining seven were still pending at the close of the year.

8. There were two references made to the High Court, Calcutta, under section 42 of Act XI of 1889. In one I entertained doubts as to the correctness of a decision of the Special Court respecting the grounds upon which a divorce may be granted in suits between Burmans, and also as to whether the Court has power to grant a divorce between Burmans upon a petition or to allow a petition to be converted into a plaint, and the following questions were submitted:—

(1) Whether in suits for divorce the plaintiff is not entitled to divorce upon any of the grounds mentioned in the Dhammathats, even though such grounds are not among those particularized in the judgment of the Special Court?

(2) Is it necessary that suits for divorce between Burman Buddhists should be commenced by a plaint?

(3) Has the Court power to allow a person who has wrongly instituted proceedings in the form of a petition to amend by converting the petition into a plaint?

This reference is still pending. In the other the point arose out of a reference from the Court of Small Causes and the question referred was whether a subsequent mortgagee of moveable property without notice of a prior incumbrance who obtains possession of the mortgaged property is entitled to priority over the first mortgagee. This reference was pending at the close of the year, but since then the High Court's decision has been given and that Court agreed with me that on the facts of the particular case the plaintiff was entitled to judgment, but did not think it desirable to answer the general question referred.

9. The three appeals to the Privy Council which were pending at the end of 1890 have all been disposed of during the year under review. In one case the decree of this Court was confirmed and in the other two cases the decrees of this Court were reversed.

10. The following is a statement of receipts and expenditure for the year 1891:—

Receipts.	Amount.	Expenditure.	Amount.
	Rs. A. P.		Rs. A. P.
Amount realized by court-fee stamps.	52,361 15 0	Recorder	34,560 0 0
		Registrar	6,520 0 0
Sale of unserviceable furniture ...	0 8 0	Clerks	23,971 6 4
Copying fees	2,469 0 0	Servants .	948 0 0
Commission on sales of mortgaged property.	1,663 4 0	Contingencies	2,391 13 7
Fines	12 0 0	*Process-serving Establishment.*	
Fines realized in Criminal Trial No. 34 of 1891.	150 0 0	One-third share of Bailiff's pay, &c., debited to this Court and the remainder to the Small Cause Court.	1,968 0 0
Total ...	56,656 11 0	Total ...	70,359 8 11

Insolvency Jurisdiction, Moulmein.

11. The Judge of the Court of Moulmein reports, the number of applications for relief decreased from 43 in the year 1889 to 34 in the year 1890, and the number in the year 1891 again decreased to 23 applications. The results of the applications are given in the following table:—

Number of persons whose applications were pending at the close of 1890.	Number of petitions filed during 1891.	Number of persons.	Total number of persons.	Personal discharge granted.	Final discharge granted.	Dismissed.	Rejected.	Withdrawn or annulled.	Struck off in default.	Pending.	Remarks.
15*	23	23	38	12	2	2	...	4	...	18†	

* Of the 15 applications 4 were made by creditors to have their debtors adjudicated insolvents.
† Of the 18 pending cases 7 are pending *sine die.*

THE COURT OF SMALL CAUSES OF RANGOON.

12. The number of suits instituted and decided in the Rangoon Court of Small Causes during the years 1890 and 1891, also the number pending at the close of these years, is shown below:—

	Instituted.	Decided.	Pending.
Regular Suits.			
1890	4,916	4,970	842
1891	5,895	5,456	871
Miscellaneous Suits.			
1890	1,493	1,514	48
1891	1,719	1,724	88
Applications for Execution.			
1890	2,157	2,115	142
1891	2,528	2,278	127

It will be observed that although the regular suits filed in 1891 exceed those of 1890 by 479, the number of pending regular cases at the close of 1891

is only 29 in excess of the previous year, which would appear to speak well for the speed with which the cases have been disposed of. Out of the regular cases carried over to 1892 one is tied up by commission, while 92 regular, 1 miscellaneous and 19 execution cases are standing over under section 99A of the Code of Civil Procedure.

13. Details of the values of suits instituted in 1890 and 1891 are given below:—

Rs.		1890.	1891.
Up to 10	...	443	586
Up to 50	...	2,088	2,482
Up to 100	...	935	939
Up to 500	...	1,200	1,160
Up to 1,000	...	163	148
Up to 2,000	...	87	80
Total	...	4,916	5,895

From this statement it will be observed that there is no decrease in the number of small suits so that there are so far at least no indications that with the extended jurisdiction the Court is failing to discharge its first and most important function as a Court for the disposal of small causes.

14. The total amount in litigation was Rs. 6,15,335-6-0 as compared with Rs. 6,32,194-2-0 in the previous year.

Compromised	340
Decreed on confession	711
Decreed *ex-parte*	2,213
Dismissed *ex-parte*	89
Total	3,312

15. Of the suits disposed of in 1891, 832 were dismissed for default or for want of prosecution or were withdrawn with leave, 3,312 were decided without contest in the manner shown in the margin, and 1,312 were decided after contest.

16. The annexed table shows the mode in which cases have been disposed of during the last three years:—

Year.	Compromised.	Struck off.	*Ex-parte.*	Confession.	Contested.	Total.
1889	310	651	2,009	577	1,332	4,879
1890	304	802	2,004	570	1,290	4,970
1891	349	882	2,252	711	1,312	5,456

It is noticeable that while an annual increase is shown in institutions, the number of contested suits remains practically stationary. I consider this to be a very satisfactory condition of affairs, as it shows when taken in conjunction with the particulars of suits decreed *ex-parte* and on confession of judgment that there is not an increasing tendency in Rangoon to contest just claims and to hinder the action of the Court as a debt-collecting machine by raising frivolous and unreal defences.

17. Out of 2,665 applications for execution of decrees, 2,538 were determined, and 127 remained pending at the close of the year. The number of such applications filed in 1890 was 2,453 and the number determined was 2,311. Of the applications disposed of in 1891, 1,129 resulted in whole or partial satisfaction of the decrees.

The Judge disposed of 2,083 regular, 1,379 miscellaneous suits, and 1,192 applications for execution, making a total of 4,654. Of the regular cases 525 were contested suits with an average duration of 26·39 days and 1,558 were uncontested, the average duration being 40·44.

18. The additional Judge disposed of 3,373 regular cases and 345 miscellaneous applications and 1,081 applications for execution, making a total of 4,799. Of the regular cases 787 were contested and 2,586 were uncontested, the average duration being 23·65 and 24·53 respectively.

19. The value of court-fee stamps used was Rs. 59,415-2-0. The value in 1890 was Rs. 63,202-12-0, showing a decrease on the previous year of Rs. 3,787-10-0, which is chiefly attributable to the reduced scale of process-fees prescribed by the rules of the Judicial Commissioner of Lower Burma and the Recorder of Rangoon in Notification No. 10, Judicial Department, dated the 8th January 1891.

20. The following is a statement of receipts and expenditure for the year 1891:—

Receipts.	Amount.			Expenditure.	Amount.		
	Rs.	A.	P.		Rs.	A.	P.
Amount realized by stamps on institution.	50,445	4	0	Judge's pay ...	14,875	7	10
				Additional Judge's pay ...	6,000	0	0
Tullubana fund collected in stamps	8,069	14	0	Establishment	14,301	15	10
Fines	3	8	0	Contingencies	471	2	4
Stamp penalty levied on insufficiently stamped documents.	96	4	0		35,648	10	0
Sale of unserviceable furniture ...	15	0	0	Two-thirds share of Bailiff's pay, &c., of the process-serving establishment debited to this Court by direction of the Recorder.	3,936	0	0
Sale of empty stationery cases ...	0	8	0				
				Total ...	39,584	10	0
				Balance of receipts over expenditure.	19,945	12	0
Total ...	59,530	6	0	Total ..	59,530	6	0

RANGOON:
The 29th April 1892.

W. F. AGNEW,
Recorder.

PART II.

Courts under the Supervision of the Judicial Commissioner.

From E. M. H. FULTON, Esq., Judicial Commissioner, Lower Burma, to the Junior Secretary to the Chief Commissioner, Burma,—No. 193-36, dated the 6th June 1892.

I HAVE the honour to submit the Civil Justice statements for 1891 for Lower Burma, including those for the Special Court and the town of Rangoon. The report as usual deals only with the figures of the Judicial Commissioner's Court and the Courts subordinate thereto, including the court of the Hill Tracts of Arakan.

I.—ORIGINAL JURISDICTION.

2. The total number of suits instituted since 1881 in all Courts subordinate to the Judicial Commissioner is given below:—

Year.	Number of suits instituted.	Year.	Number of suits instituted.
1881	27,675	1887	27,456
1882	28,215	1888	30,128
1883	28,906	1889	32,794
1884	30,148	1890	30,642
1885	27,961	1891	30,602
1886 ...	27,286		

There have been trifling increases in the Irrawaddy and Tenasserim divisions and a small decrease in the Arakan and Pegu divisions.

3. The following table shows the number of cases instituted in the different Courts of Original Jurisdiction, the number disposed of, and the state of the files at the close of the year as compared with similar results for the preceding year:—

Division.	Name of district	Instituted *		Disposed of		Pending at close of year. Above four months.		Total pending	
		1890	1891	1890	1891	1890	1891	1890	1891
ARAKAN	Akyab	1,205	1,136	1,134	1,129	6	9	34	40
	Akyab Small Cause Court ...	607	610	591	599	..	...	20	31
	Kyaukpyu	785	658	768	661	...	1	31	28
	Sandoway	490	849	291	341	.	2	2	10
	Northern Arakan	93	97	88	95	..	..	6	8
	Total ...	3,080	2,850	3,072	2 825	6	12	93	123
PEGU.	Hanthawaddy	1,438	1,602	1,435	1 606	..	..	26	30
	Pegu	1,996	2,375	1,951	2,401	.	...	76	62
	Pegu Small Cause Court	220	67	228	69		..	2	...
	Tharrawaddy ..	1,998	1,980	1,911	1,906	1	...	50	56
	Tharrawaddy Small Cause Court . ..	200	199	209	198		...	2	3
	Prome ..	2,069	1,648	2,115	1,643		..	54	54
	Prome Small Cause Court .. .	439	416	435	415			1	4
	Judicial Commissioner, Lower Burma ...	.		..				..	...
	Total	8,240	8,244	8,282	8,291	1		220	215
IRRAWADDY.	Henzada	2,008	2,447	2,071	2,490	8	3	107	58
	Henzada Small Cause Court ...	215	106	211	114	.		7	...
	Bassein	3,307	2,618	3,390	2,671	3		111	56
	Bassein Small Cause Court .	323	377	320	372		...	..	5
	Thôngwa . .	3,776	4,078	3,824	4,122	3	12	173	124
	Thôngwa Small Cause Court .	395	398	399	403	..	...	5	.
	Thayetmyo .	1,447	1,457	1,385	1,415	4	1	59	104
	Thayetmyo Small Cause Court	46	34	45	34		...	.	
	Irrawaddy Commissioner's Court	1		1	..		..	.	..
	Total	11,508	11,510	11,531	11,621	18	16	462	347
TENASSERIM	Amherst ..	1,748	2,000	1,700	2,020	3	...	41	63
	Amherst Small Cause Court ...	135	58	138	36		..	4	
	Shwegyin	1,147	1,641	1,102	1,634		3	59	66
	Shwegyin Small Cause Court	350	293	348	226		.	1	..
	Toungoo	602	617	657	608		. .	14	23
	Toungoo Small Cause Court	270	240	262	248			8	...
	Tavoy	572	573	573	573			14	14
	Mergui .	511	197	468	522	3	7	34	9
	Salween	58	71	57	71		...	1	1
	Moulmein Judge's Court	201	171	199	173	12	7	18	18
	Moulmein Small Cause Side	2,151	1,936	2,120	1,944	20	21	99	60
	Total	7,806	7,098	7,751	7,955	38	38	293	274
	GRAND TOTAL	30,642	30,602	30,630	30,692	63	60	1,068	959
	Increase		40		62		3	..	...
	Decrease				...		...		

* Excluding cases received by transfer and cases pending from previous year.

The Deputy Commissioner of Akyab calls attention to considerable diminution in the number of suits instituted in that district, which is especially noticeable in the town of Akyab, and points out that the proportion of suits under written obligation to suits under unwritten documents is a good deal smaller than during the previous year. He suggests that the decrease in the number of suits filed may be attributable to the Debtors Act. In Sandoway there was some increase in the institution of suits which the Deputy Commissioner attributes to the restoration of order after the disturbance that took place in 1890. In Kyaukpyu there was a small decrease and in the Arakan Hill Tracts a trifling increase.

Turning to the Irrawaddy division I find that the number of suits instituted decreased in Bassein and increased in Thôngwa, Henzada, and Thayetmyo. The decrease in Bassein was, it appears, principally due to the severance of the Lemyethna township, which was transferred to Henzada, but there was also a small decrease irrespective of the reduction in the area of the district.

In the Pegu division there was a small increase in litigation in the districts of Hanthawaddy, Tharrawaddy, and Pegu, and a considerable decrease in Prome, where the number of suits instituted fell from 3,035 in 1889 to 2,508 in 1890 and to 2,061 in 1891. This falling-off is attributed by the Deputy Commissioner to depression in trade at Prome consequent on the opening of direct communication by railway between Rangoon and Mandalay and to a series of bad crops and the exhaustion of cutch.

In the Tenasserim division more suits were filed than in the preceding year in the districts of Shwegyin, Amherst, Tavoy, and Salween and fewer in the town of Moulmein and in the districts of Toungoo and Mergui. The variations are small, but in the town of Moulmein there has been a decrease of 285 suits chiefly on the Small Cause side for which the Judge considers the explanation is to be found in the Debtors Act which came into force in 1888. On the whole the fluctuation in the number of suits instituted respectively in the years 1890 and 1891 is small and calls for no special remark. Having regard to the fact that there has been a small increase of litigation in many districts it may be doubted whether the Debtors Act will have more than a temporary effect either at Akyab or Moulmein in reducing the number of suits, but, however this may be, it is certainly beneficial in its operation and should be so effectually worked as to prevent imprisonment being used as means of oppression as was frequently the case under the old law. Imprisonment in execution should now be reserved only for debtors who have acted fraudulently or dishonestly, or who being proved to have the means of payment obstinately refuse to discharge their obligations.

4. The following table shows the character of the original litigation in the different districts and classes of Courts :—

Division.	Name of district.	Number of suits.													
		On written obligation.	On unwritten obligation.	On account stated.	For money had and received.	For goods sold.	For breach of contract not mentioned above.	For rent.	For moveable property or value thereof.	For damages.	For immoveable property or interest therein.	For specific performance of contract.	For dissolution of marriage or for enforcement of matrimonial rights.	Other suits.	Total.
Arakan.	Akyab	206	182	...	22	100	99	124	123	66	89	3	21	41	1,136
	Akyab Small Cause Court.	343	56	...	3	94	63	16	12	3	...	..	..	...	610
	Kyaukpyu ...	89	120	22	11	75	37	24	70	60	102	.	15	31	656
	Sandoway	47	50	11	10	74	3	8	44	41	83	1	6	15	349
	Northern Arakan ...	..	...	...	24	12	4	...	10	12	6	...	8	21	97
	Total ...	788	417	33	76	355	226	172	259	182	230	4	50	108	2,850
Pegu.	Hanthawaddy ...	417	219	4	50	312	160	35	259	41	52	1	28	24	1,602
	Pegu ...	811	546	24	44	400	121	40	198	43	84	...	26	38	2,375
	Pegu Small Cause Court	5	9	1	...	26	16	5	...	5	...	..	...	...	67
	Tharrawaddy ...	360	509	4	61	164	90	7	181	370	91	29	52	62	1,980
	Tharrawaddy Small Cause Court	21	24	...	2	53	16	...	10	33	...	...	...	...	159
	Prome	227	255	10	30	276	48	55	100	333	110	...	80	49	1,643
	Prome Small Cause Court	46	119	1	8	86	8	18	120	11	...	...	...	1	419
	Judicial Commissioner, Lower Burma.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	1,987	1,681	44	195	1,317	459	160	868	896	337	30	186	174	8,244
Irrawaddy.	Henzada ...	251	274	5	441	299	97	38	323	440	207	...	47	25	2,447
	Henzada Small Cause Court.	4	...	...	62	30	6	2	..	2	...	...	...	...	106
	Bassein ..	449	517	12	109	351	127	92	327	345	152	...	86	51	2,618
	Bassein Small Cause Court.	127	55	13	29	72	32	10	15	21	8	...	...	...	377
	Thôngwa	860	1,328	1	1	722	308	75	248	351	107	.	60	22	4,073
	Thôngwa Small Cause Court.	65	93		...	179	41	20	...	...	...	...	...	...	398
	Thayetmyo	362	332	2	23	248	22	26	126	154	95	4	28	25	1,457
	Thayetmyo Small Cause Court.	21	1	1	1	5	4	1	...	...	.		...	...	34
	Total ...	2,139	2,600	34	666	1,906	637	269	986	1,819	654	4	221	123	11,510
Tenasserim.	Amherst	616	448	3	56	126	205	46	305	92	82	2	21	17	2,009
	Amherst Small Cause Court.	20	31	..	...	...	3	3	1	...	...	...	...	...	58
	Shwegyin	270	458	17	160	273	51	66	120	86	38	1	32	20	1,641
	Shwegyin Small Cause Court.	15	40	1	0	90	23	18	10	8	6	...	...	3	225
	Toungoo	110	44	6	50	114	20	28	67	64	47	...	26	35	617
	Toungoo Small Cause Court.	76	26	5	24	54	...	26	27	2	...	...	...	...	240
	Tavoy	131	73	1	47	118	34	45	33	55	10	...	5	12	573
	Mergui	212	68	13	10	50	27	9	27	10	10	...	12	22	497
	Salween	10	6	...	4	23	3	3	...	2	...	...	2	9	71
	Moulmein Judge's Court	37	1	1	2	...	...	...	10	11	11	1	1	90	171
	Moulmein Small Cause side.	869	208	41	63	304	218	74	50	22	...	...	...	1	1,906
	Total ...	2,395	1,403	88	469	1,161	584	338	650	351	215	4	99	215	7,998
	Grand Total ...	7,229	6,101	199	1,426	4,739	1,906	939	2,721	2,688	1,436	42	556	620	30,602
	In 1890 ..	7,031	5,925	211	1,335	4,965	1,817	875	2,674	3,091	1,328	20	628	521	30,041
	Increase ...	198	176	...	91	...	89	64	...	..	108	22	...	99	...
	Decrease ...	...	...	12	...	226	...	...	153	403	...	..	72	...	89

An examination of the foregoing table will show how remarkably little change there has been in the character of litigation since the previous year.

Suits on written obligations have increased from 7,031 to 7,229, and on unwritten from 5,925 to 6,101, so that the proportion which these two important classes of suits bear to each other has not materially varied throughout the province. There has been an increase of suits for money had and received for breach of contract, for rent, for damages, for immoveable property or interest therein, and for specific performance and of suits not specifically classified, while there has been some decrease in suits on accounts stated for goods sold, for moveable property or the value thereof, and for dissolution of marriage, or for enforcement of matrimonial rights. The fluctuations, however, are small, the largest being among suits for damages in which there has been a decrease of 403.

5. The table below shows the value of original suits:—

Division.	Name of district	Number of suits instituted valued at not exceeding Rs 10	Rs 50.	Rs. 100	Rs. 500.	Rs 1,000	Rs. 5,000.	Rs 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.	Total value of suits Rs A P
Arakan.	Akyab	192	535	230	171	30	15	1	2	24	1,45,862 1 10
	Akyab Small Cause Court	96	237	120	159	.	.	.	.		52,900 8 3
	Kyaukpyu	180	307	91	53	1	...	..	..	15	28,299 5 1
	Sandoway	134	127	49	23	..	..	.	.	17	11,665 4 4
	Northern Arakan	0	86	23	20	1	...	.	.	8	7,215 2 9
	Total	560	1,240	509	427	32	15	1	2	64	2,45,848 6 3
Pegu.	Hanthawaddy	249	589	310	354	38	21	1	...	37	1,89 004 12 4
	Pegu	114	770	610	694	87	48	.	1	51	3,75,776 14 8
	Pegu Small Cause Court	17	50	...	.	.	..				1,343 10 3
	Tharrawaddy	235	951	415	282	12	4	..	..	81	1,80,507 13 9
	Tharrawaddy Small Cause Court	24	135			...			..		2,846 11 4
	Prome	264	675	358	233	15	4	2	.	23	1,25,252 15 4
	Prome Small Cause Court	131	284	2	1		...	..	...	...	8,512 0 8
	Judicial Commissioner Lower Burma	...	...	...	...						. ....
	Total	1,027	3,454	1,695	1 573	152	77	3	1	232	8,34,106 13 11
Irrawaddy	Henzada	984	1,111	517	342	23	5		...	65	1,51,002 15 10
	Henzada Small Cause Court	23	81			..	...	..	..	...	3,089 5 1
	Bassein	3-3	1,065	536	531	45	19	1	...	98	2,54,551 12 7
	Bassein Small Cause Court	93	206	78	.	.	.	..	...		11,418 5 2
	Thôngwa	533	1,544	910	929	57	21	1		78	3,65,716 6 2
	Thôngwa Small Cause Court	112	286	..	...	..		...	...	...	9,325 7 5
	Thayetmyo	266	658	309	178	9	4	.	.	34	89,749 3 0
	Thayetmyo Small Cause Court	8	20	4	2		...	...	...	.	1,180 15 8
	Total	1,752	4,078	2 354	1,972	133	49	2		275	9,06,719 6 11
Tenasserim.	Amherst	198	879	404	416	21	13		...	28	1,72,723 10 11
	Amherst Small Cause Court	5	53	.		...		..	..	...	4,917 0 0
	Shwegyin	107	643	415	308	29	11	1	...	37	1,68,901 1 2
	Shwegyin Small Cause Court	41	184		.				...	...	6,556 12 3
	Toungoo	90	216	109	137	15	16	1	..	33	87 353 9 4
	Toungoo Small Cause Court	51	125	64		.		...	..	...	6,359 5 0
	Tavoy	118	302	90	64		2		...	2	92,029 11 1
	Mergui	66	251	101	66	2	1			10	31,992 5 0
	Salween	11	26	11	18	1	3		...	4	11,256 11 2
	Moulmein Judge's Court	.	7	14	55	25	60	4	5	1	21,57 694 4 0
	Moulmein Small Cause Side	326	650	302	373	45	..	.			1,58 043 7 0
	Total	1,003	3,536	1,570	1,434	188	105	6	5	110	28,30,788 12 11
	Grand Total	4,432	12,308	6 128	5,406	455	247	12	8	711	48,26,457 8 0
	In 1890	4,774	13,548	5,958	4,940	411	227	14	13	747	31,17,875 13 4
	Increase	...		170	466	44	10	..	...		17,08,581 10 8
	Decrease	342	345			.	...	2	5	36	.. ...

The total value of suits instituted has increased from Rs. 31,17,875 in 1890 to Rs. 48,26,457 in 1891.

The fluctuations in the various districts are shown in the following table:—

District.	1890. Rs A. P.	1891. Rs. A. P.	Increase in 1891. Rs. A. P.	Decrease in 1891. Rs A. P.
Akyab	2,25,776 9 1	1,98,668 10 1	...	27,107 15 0
Kyaukpyu	33,568 7 8	28,299 5 1	...	5,269 2 7
Sandoway	8,872 1 5	11,665 4 4	2,793 2 11	...
Northern Arakan ..	6,142 12 9	7,215 2 9	1,072 6 0	...
Hanthawaddy ...	1,75,874 10 10	1,89,004 12 4	13,130 1 6	...
Pegu	2,70,977 9 5	3,76,922 8 6	1,05,944 15 1	...
Tharrawaddy	1,21,963 13 7	1,34,414 9 1	12,450 11 6	...
Prome	1,39,663 1 3	1,33,765 0 0	...	5,898 1 3
Henzada	1,46,557 2 6	1,54,692 4 11	8,135 2 5	.
Bassein	2,49,610 13 10	2,65,970 1 9	16,359 8 11	...
Thôngwa	3,23,040 8 4	3,95,111 13 7	72,071 5 3	...
Thayetmyo	81,405 3 8	90,939 2 8	9,533 15 0	
Amherst	1,93,997 2 0	1,77,640 10 11		16,356 7 10
Shwegyin	1,02,083 3 5	1,75,457 13 5	73,374 10 0	.
Toungoo	1,10,410 7 4	95,733 14 4	...	14,676 9 0
Tavoy	40,503 5 3	32,029 11 1	...	8,473 10 2
Mergui	32 233 12 0	31,992 5 0	...	241 7 0
Salween ...	15,398 11 3	11,256 11 2	.	4,142 0 1
Moulmein Town ...	8,39,796 5 0	23,15,677 11 0	14,75,881 6 0	...
Total ...	31,17,875 13 4	48,26,457 8 0	...	...
		Net increase ...	17,08,581 10 8	

6. The manner in which the litigation was disposed of in the several Courts is shown below:—

Division.	Name of district.	Number of cases brought on the file, including pending from last year.	Transferred.	Plaint rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed ex-parte.	Dismissed ex-parte.	Contested cases.		Total disposed of.	Pending.	Referred to arbitration.
											Judgment for plaintiff in whole or in part.	Judgment for defendant.			
Arakan.	Akyab	1,265	1	8	240	34	125	142	187	11	274	101	1,122	46	1
	Akyab Small Cause Court ...	520	...	8	86	58	16	93	226	1	69	27	590	31	...
	Kyaukpyu	569	...	1	143	5	60	76	50	2	200	116	631	28	...
	Sandoway	351	...	...	67	2	66	53	32	2	80	39	341	10	...
	Northern Arakan . ..	103	...	...	11	14	3	9	2	...	14	10	96	8	32
	Total ...	2,948	1	17	553	108	270	373	508	16	657	295	2,825	123	33
Pegu.	Hanthawaddy	1,042	...	1	416	93	39	200	231	...	280	100	1,360	36	6
	Pegu	2,466	5	6	630	71	137	382	440	20	408	206	2,404	62	5
	Pegu Small Cause Court ...	60	...	...	18	...	...	9	11	...	20	2	60	...	...
	Tharrawaddy ...	2,052	3	...	531	20	95	227	187	10	577	349	1,900	50	...
	Tharrawaddy Small Cause Court.	101	...	22	41	8	3	10	18	3	23	24	158	3	...
	Prome	1,697	1	...	302	24	48	197	165	50	610	230	1,643	54	2
	Prome Small Cause Court ...	419	5	...	128	11	13	28	47	...	160	33	415	4	...
	Judicial Commissioner, Lower Burma.	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	8,836	14	29	2,070	227	335	1,140	1,240	80	2,186	944	8,291	215	13
Irrawaddy.	Henzada	2,548	18	...	722	37	120	290	183	8	734	384	2,490	58	12
	Henzada Small Cause Court ...	114	...	...	58	...	5	13	14	...	17	7	114	...	...
	Bassein	2,727	2	...	724	18	109	244	424	20	755	376	2,671	56	1
	Bassein Small Cause Court ...	377	...	..	67	7	21	79	51	13	90	41	379	5	1
	Thôngwa	4,246	...	1	1,531	13	128	536	626	14	800	299	4,123	124	184
	Thôngwa Small Cause Court..	403	...	...	194	14	1	50	90	...	28	24	403	..	4
	Thayetmyo	1,519	...	11	288	54	126	200	164	15	356	100	1,415	104	5
	Thayetmyo Small Cause Court	34	...	...	1	...	...	21	4	1	0	1	34	...	...
	Total ...	11,968	15	12	3,675	141	510	1,420	1,556	71	2,795	1,328	11,621	347	207
Tenasserim.	Amherst	2,083	...	6	115	80	138	313	38	200	570	262	2,020	63	1
	Amherst Small Cause Court ...	36	26	...	...	...	12	13	2	1	5	3	36	...	...
	Shwegyin	1,702	1	5	289	18	109	302	129	16	478	179	1,534	86	9
	Shwegyin Small Cause Court	226	...	...	73	1	31	1	1	1	110	7	226	...	1
	Toungoo	631	...	...	83	6	22	158	47	5	185	100	606	23	2
	Toungoo Small Cause Court...	248	...	...	68	3	8	73	20	...	54	23	248	...	...
	Tavoy	587	...	...	85	22	4	152	47	3	195	65	573	14	...
	Mergui	531	...	...	13	6	10	121	136	54	120	52	522	9	2
	Salween	72	...	...	11	0	...	19	4	...	13	15	71	1	...
	Moulmein Judge's Court ...	191	...	...	8	2	12	36	32	...	50	20	173	18	4
	Moulmein Small Cause Side ...	2,004	...	2	299	6	90	57	626	1	657	192	1,944	60	5
	Total ...	8,311	27	13	1,044	103	445	1,245	1,431	281	2,452	917	7,955	274	24
	Grand Total ...	31,732*	57	71	7,242	579	1,560	4,193	4,730	457	8,090	3,484	30,692	959	277
	In 1890 ...	31,694	108	214	7,307	475	1,645	4,403	4,505	579	7,671	3,439	30,626	1,092	238

* Result of 82 cases are not shown *vide* Statement 9, (Civil).

The foregoing table shows that since the previous year there has been very little change in the manner in which suits were disposed of.

Assuming that in compromised suits, plaintiffs have wholly or partly succeeded in gaining the objects for which they went into Court, it appears that in 1890 they were wholly or partially successful in 18,314 out of 30,626 suits disposed of, and in 1891 in 18,582 out of 30,692, or in nearly 60 per cent. of the suits in each year. It is certainly remarkable that notwithstanding the number of Courts by which cases were dealt with, the results of litigation should have approximated so closely in the two years referred to.

7. The actual percentage of cases decided in favour of and against plaintiffs during the last four years has been as follows:—

	1888.	1889.	1890.	1891.
Decided in favour of plaintiff wholly or in part ...	55	56	54	55
Compromised	6	5	6	5
Decided against plaintiff	39	39	40	40

8. As usual, the largest number of cases referred to arbitration was in the Thôngwa district. In Northern Arakan it was usual by a very lax construction of section 54 of the Arakan Hill Civil Justice Regulation, to refer to arbitration suits relating to marriage and dowry and cases connected with tribal customs; but in September last, on a reference by the Commissioner, I was obliged to hold that the procedure was illegal, as the Regulation contemplated the trial of such suits by the Judge with the aid of assessors. The former practice of reference to arbitrators, who heard the case out of Court and submitted their award in writing, worked, I am told, fairly well; but there was this objection to

it that as the arbitrators could not write, the awards were written for them by clerks or other persons. The procedure prescribed by law for such suits requires the hearing of the case in Court in presence of assessors, who give their opinions orally. The Judge decides the matter, but should, of course, be guided by the opinions of the assessors if reasonable. Which of the two systems works most satisfactorily I am unable to say; but if it is desired to revert to the system of arbitration out of Court the Regulation must be amended.

9. It is satisfactory to note that the number of cases pending at the end of 1891 was only 959, out of which not more than 66 had been on the files for a period exceeding four months.

10. The average duration of suits in Courts of original jurisdiction was as follows:—

Division.	Name of district.	Average duration of suits.			
		For previous year.		*For year of report.*	
		Contested.	Uncontested.	Contested.	Uncontested.
		Days.	Days.	Days.	Days.
Arakan.	Akyab	30	20	34	18
	Akyab Small Cause Court	11	15	14	21
	Kyaukpyu	11	6	17	10
	Sandoway	15	11	15	12
	Northern Arakan	15	12	12	20
	Total	19	15	23	17
Pegu.	Hanthawaddy	35	18	25	14
	Pegu	27	14	25	15
	Pegu Small Cause Court	23	17	12	11
	Tharrawaddy	19	10	17	14
	Tharrawaddy Small Cause Court	8	10	13	14
	Prome	16	12	17	9
	Prome Small Cause Court	10	8	12	9
	Judicial Commissioner, Lower Burma	...		..	...
	Total	21	15	19	13
Irrawaddy.	Henzada	33	15	31	14
	Henzada Small Cause Court	9	7	7	6
	Bassein	25	15	25	16
	Bassein Small Cause Court	10	11	10	11
	Thôngwa	39	28	23	16
	Thôngwa Small Cause Court	19	16	17	17
	Thayetmyo	22	14	21	19
	Thayetmyo Small Cause Court	5	5	9	6
	Total	30	20	25	16
Tenasserim.	Amherst	16	8	15	11
	Amherst Small Cause Court	13	9	22	16
	Shwegyin	16	14	18	13
	Shwegyin Small Cause Court	12	7	16	13
	Toungoo	13	8	14	9
	Toungoo Small Cause Court	8	8	14	9
	Tavoy	16	10	19	11
	Mergui	24	18	25	19
	Salween	10	7	17	6
	Moulmein Judge's Court	40	31	79	68
	Moulmein Small Cause Side	16	12	20	21
	Total	16	12	19	15
	Grand Total	23	16	22	15

In most Courts the duration of suits is very short and compares favourably with the figures in various provinces of India. This is satisfactory and is to be accounted for partly by the simple nature of the litigation and partly by the fact that the Courts are not overworked and that the suitors are generally anxious to bring their business to an end as speedily as possible. It is, of course, highly undesirable that there should be any prolongation of suits, but at the same time there must not be too great eagerness to reduce their average duration. In one of my tours when inspecting a Myoôk's Court I found that he had disposed of a number of civil suits when away from headquarters to the manifest inconvenience of the parties and in several instances in their absence. On my asking why he had not postponed the hearing of his civil cases till his return he said that he was afraid lest by doing so he should increase the average duration of cases in his Court. Of course I explained to him that the first thing to look to was the duty of trying cases in such a way as to give justice to the parties with the least possible amount of inconvenience to those concerned, and that the desire to show favourable returns must not be allowed to interfere with this object. Since then I have issued a circular on the subject, and do not think it likely that the mistake which I have noticed will occur again, but it shows that while insisting on the speedy disposal of suits other considerations must not be lost

sight of. In some Courts undoubtedly unnecessary delays do occur, which when discovered should not be allowed to pass unnoticed, but these are comparatively rare, while instances of extremely summary procedure adopted in order to shorten the duration of the case are not uncommon. Deputy Commissioners therefore, both when hearing appeals and when inspecting Courts, should closely examine the order sheets in civil cases and should not fail to check either dilatory procedure on the one hand or undue haste on the other. Above all they should be careful not to attach too great importance to very short average durations or to give indiscriminate praise to the Courts which showed the shortest averages, lest by doing so they might be encouraging them to shorten the durations by unscrupulous methods. Whenever a very short average duration is observed some suspicion may be entertained, not so much that the figures are incorrect as that the suits have been disposed of with reckless haste in order to secure those figures.

As a rule civil cases can most conveniently be disposed of by Myoôks at their own headquarters, but there may be instances in which their tours take them to the village in which the litigants and their witnesses reside, and it is to meet such cases that discretion is allowed to them to hear suits at such places within their townships as they think proper. The discretion must be carefully used and must not be exercised in such a manner as to cause inconvenience to litigants.

11. The following table shows the number of applications for execution and the degree in which the applications were satisfied :—

Division.	Name of district.	Number of applications for execution, including those pending from last year.	Decrees completely executed	Decrees partially executed.	Pending at close of year
Arakan	Akyab	448	178	69	22
	Akyab Small Cause Court	161	22	2	10
	Kyaukpyu	153	60	29	19
	Sandoway	50	24	5	3
	Northern Arakan	2	1		
	Total	814	224	105	54
Pegu.	Hanthawaddy	568	200	148	80
	Pegu	743	226	165	47
	Pegu Small Cause Court	14	6	4	
	Tharrawaddy	463	180	85	33
	Tharrawaddy Small Cause Court	20	7	3	
	Prome	396	155	93	30
	Prome Small Cause Court	42	22	8	1
	Judicial Commissioner, Lower Burma				
	Total	2,245	798	506	150
Irrawaddy.	Henzada	462	186	75	36
	Henzada Small Cause Court	4	2	2	
	Bassein	778	283	184	56
	Bassein Small Cause Court	96	26	26	5
	Thôngwa	1,191	202	102	109
	Thôngwa Small Cause Court	54	1	4	3
	Ihayetmyo	278	109	64	21
	Thayetmyo Small Cause Court	93	2	11	
	Total	2,886	771	470	224
Tenasserim	Amherst	830	308	149	57
	Amherst Small Cause Court	15	4	2	
	Shwegyin	470	190	71	53
	Shwegyin Small Cause Court	57	20	12	6
	Toungoo	149	45	24	7
	Toungoo Small Cause Court	59	9	8	
	Tavoy	146	64	27	8
	Mergui	245	74	36	10
	Salween	14	6	4	
	Moulmein Jude's Court	129	20	40	5
	Moulmein Small Cause Side	958	158	164	27
	Total	3,081	897	557	153
	Grand Total	9,026	2,760	1,638	581
	In 1890	8,540	2,858	1,416	646

12. The number of applications for execution returned during the year as wholly infructuous was 4,029 out of 9,026 presented. This seems a large proportion, but from the enquiries I have made when on tour I find that a great number, if not the majority of these infructuous applications, were either withdrawn or dismissed in the absence of the plaintiff who had either attained his object by obtaining from the debtor a settlement out of Court or for some reason had

preferred not to press for execution. It is difficult to say what proportion the number of applications thus voluntarily withdrawn or allowed to be struck off bears to the total number of infructuous applications. The returns do not furnish the information, but so far as I can judge, the difficulty in obtaining satisfaction of decrees is less in this province than in the parts of India with which I am acquainted.

13. Process of execution was issued as follows :—

Division.	Name of district.	Mode of execution.						Orders under section 243, Civil Procedure Code.
		Delivery of possession.	Imprisonment of person	*Moveable property.*		*Immoveable property.*		
				Attached.	Sold.	Attached.	Sold.	
Arakan.	Akyab	21	...	87	21	74	48	...
	Akyab Small Cause Court	...	2	6	2	..	...	...
	Kyaukpyu	2	2	51	14	28	16	...
	Sandoway	1	...	11	2	9	2	...
	Northern Arakan	...	..	1	1		...	...
	Total ...	24	4	156	40	111	66	...
Pegu.	Hanthawaddy	11	4	148	50	172	65	...
	Pegu	8	4	209	75	149	77	...
	Pegu Small Cause Court	...	...	4	2	8	3	...
	Tharrawaddy	8	6	127	36	92	46	...
	Tharrawaddy Small Cause Court ...	...	2	6	4	2	..	...
	Prome	1	3	109	38	110	62	...
	Prome Small Cause Court	...	...	6	2	17	11	...
	Judicial Commissioner, Lower Burma ..	...	...	...	...	...	...	...
	Total ...	23	19	609	207	550	264	...
Irrawaddy.	Henzada	10	5	101	31	79	24	...
	Henzada Small Cause Court	...	...	3	2	1	..	...
	Bassein	6	10	205	103	98	61	...
	Bassein Small Cause Court	...	3	34	17	4	3	...
	Thôngwa	...	3	167	91	140	97	...
	Thôngwa Small Cause Court	...	.	5	3	...	...	...
	Thayetmyo	4	9	110	60	22	14	...
	Thayetmyo Small Cause Court ...	...	...	1	1	..	...	...
	Total ...	20	30	626	308	344	199	...
Tenasserim.	Amherst	4	8	212	74	155	77	...
	Amherst Small Cause Court	...	...	6	2	..	...	...
	Shwegyin	8	5	104	28	83	32	...
	Shwegyin Small Cause Court ...	...	...	25	1	1	1	...
	Toungoo	...	..	19	6	35	24	...
	Toungoo Small Cause Court	...	...	7	1	5	5	
	Tavoy	9	4	25	7	43	12	...
	Mergui	...	11	40	16	11	10	...
	Salween	1	1	4	4	4	2	...
	Moulmein Judge's Court	1	2	11	5	27	18	...
	Moulmein Small Cause Side	...	30	61	38	...	..	...
	Total ...	18	61	520	182	364	181	...
	Grand Total ...	85	114	1,911	737	1,369	710	...
	In 1890 ...	74	117	1,960	741	1,154	549	...

Imprisonment to enforce execution of decrees seems to have been resorted to principally in the town of Moulmein and in the districts of Bassein and Mergui That 11 persons should be imprisoned for debt in a district like Mergui seems unusual. No explanation has been given, but it is hoped that the principle of the Debtors Act of 1888 which is to restrict this method of endeavouring to enforce execution to cases in which the debtor has acted

fraudulently, or dishonestly, or has refused to pay, though proved to be able to do so, has not been lost sight of.

14. The following table shows the number of persons who applied to be declared insolvent:—

Division.	Name of district.	Number of persons who applied to be declared insolvent.	Number of applications granted.	Number dismissed or rejected.	Total disposed of.	Pending.	Remarks.
Arakan	Akyab	...	...	...	...	...	
	Kyaukpyu	2	1	1	2	...	
	Sandoway	...	...	...	....	...	
	Northern Arakan	...	...	...	...	...	
	Total ...	2	1	1	2	...	
Pegu.	Hanthawaddy	2	1	1	2	...	
	Pegu	...	...	...	...	...	
	Tharrawaddy	...	...	...	...	...	
	Prome	...	...	...	...	...	
	Total ...	2	1	1	2	...	
Irrawaddy.	Henzada	4	2	...	2	2	
	Bassein	12	7	4	11	1	
	Thôngwa	...	...	...	...	...	
	Thayetmyo	...	...	...	...	...	
	Total ...	16	9	4	13	3	
Tenasserim.	Amherst	...	...	...	...	...	
	Shwegyin	...	...	...	...	...	
	Toungoo	5	2	3	5	...	
	Tavoy	1	1	...	1	...	
	Mergui	...	...	...	...	...	
	Salween	...	...	...	...	...	
	Total ...	6	3	3	6	...	
	GRAND TOTAL ...	26	14	9	23	3	
	In 1890 ...	28	12	7	25	3	

The insolvency provisions of the Civil Procedure Code have not been much resorted to. The largest number of applications was in Bassein. In Mergui, notwithstanding the number of persons sent to jail, there seems to have been no applications to be declared insolvent. This fact may indicate either that the debtors had property and were unwilling to pay their debts, in which case they were rightly imprisoned, or that they were ignorant of the provisions of law in their favour.

In the town of Moulmein the insolvency provisions of the Civil Procedure Code are not in force. The statistics connected with applications under the Act for the Relief of Insolvent Debtors have, it is understood, been incorporated in the returns submitted by the Recorder of Rangoon.

II.—Appellate Jurisdiction.

15. The following table shows the number and result of appeals preferred to the District or Deputy Commissioner's Court from the decrees of the Subordinate Courts, the number pending at the close of the year, and the average duration of appeals :—

Division.	Name of district.	Number of appeals preferred.*	Number of appeals disposed of.						Pending.		Average duration of appeals.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of, including transfers.	Total.	Over three months.	Total.	
Arakan.	Akyab	31	22	...	3	10	1	36	...	1	31
	Kyaukpyu ...	63	45	...	...	13	1	59	...	6	37
	Sandoway ...	14	9	2	...	3	...	14	..	...	14
	Northern Arakan ...	...	...	...	...	...	...	...	...	...	...
	Total ...	108	76	2	3	26	2	109	...	7	32
Pegu.	Hanthawaddy ...	49	34	6	3	7	3	53	...	2	32
	Pegu	90	57	2	7	23	...	89	...	10	28
	Tharrawaddy ...	65	47	2	3	9	...	61	...	6	33
	Prome	81	51	3	10	17	1	82	...	8	17
	Total ...	285	189	13	23	56	4	285	...	26	27
Irrawaddy.	Henzada	187	117	15	2	52	1	187	...	13	40
	Bassein	153	116	26	1	21	2	166	1	11	25
	Thôngwa	127	88	6	3	26	3	126	...	10	26
	Thayetmyo ...	91	69	7	...	11	...	87	...	7	17
	Total ...	558	390	54	6	110	6	566	1	41	29
Tenasserim.	Amherst	76	54	3	1	21	3	82	...	9	10
	Shwegyin ...	90	57	10	...	16	2	85	...	8	20
	Toungoo	38	19	1	...	15	...	35	...	2	27
	Tavoy	43	27	11	...	8	...	46	...	4	29
	Mergui	55	26	5	...	7	...	38	...	17	29
	Salween	2	1	...	...	2	...	3	...	...	30
	Total ...	299	184	30	1	69	5	289	...	40	21
	Grand Total ...	1,250	839	99	33	261	17	1,249	1	114	27
	In 1890 ...	1,294	828	66	36	311	22	1,263	4	109	26

* Excluding cases pending from previous year and cases received by transfers.

One thousand two hundred and fifty appeals were presented to the Deputy Commissioners in 1891 as against 1,294 in 1890. During the year under report 1,249 were disposed of, while 114 remained pending at the end of the year, of which, however, only one had been on the files for more than three months. Out of the 1,249 appeals disposed of during the year under report, the decisions of the Lower Courts were confirmed in 839 or 67 per cent. In 1890 the number of decisions confirmed was 828 out of 1,294, so that the percentage was about the same.

16. The following table shows the number and results of appeals to Commissioners' Courts from the decrees of the Deputy Commissioners or District Courts, the number of appeals pending at the close of the year, and the average duration of appeals :—

Appellate Court.	Number of appeals preferred.*	Number of appeals disposed of.						Pending.		Average duration of appeals.
		Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of, including transfers.	Total.	For more than three months.	Total.	
Commissioner of Arakan	2				1	1	2	..		29
Commissioner of Pegu ...	21	11	1	..	5	...	17		4	39
Commissioner of Irrawaddy	8	8	...	..		...	8	1	1	80
Commissioner of Tenasserim	5	2	2	.	1	...	5	...	.	52
Total 1891 ...	36	21	3	...	7	1	32	1	5	51
In 1890 ...	17	11	...	1	6	...	18	...	1	63

* Excluding cases received by transfer and cases pending from previous year.

Out of 32 appeals disposed of by the Commissioners, orders confirming the Deputy Commissioners' decrees were given in 21 (65·6 per cent.), and orders reversing, modifying, or otherwise disposing of the decrees were given in 11 cases.

17. The following table shows the number and result of regular appeals preferred in the Court of the Judicial Commissioner :—

Division.	Court from whose decision appeal was made	Number of appeals preferred.*	Number of appeals disposed of						Pending.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of	Total.	
Arakan	Deputy Commissioner, Akyab	4	2	...		...	...	2	2
	Deputy Commissioner, Kyaukpyu ...	...	...	...	...		...	.	
	Deputy Commissioner, Sandoway ...	1	1	...	...	...		1	..
	Commissioner of Arakan	1	..	..	...	..	..	...	1
	Total ...	6	3		.		...	3	3
Pegu.	Deputy Commissioner, Hanthawaddy .	4	3	1	...		.	4	2
	Deputy Commissioner, Pegu ...	19	10	.	.	9	1	20	4
	Deputy Commissioner, Tharrawaddy... ...	5	2	..	..	3		5	1
	Deputy Commissioner, Prome ...	11	9	3		2	...	14	1
	Commissioner of Pegu . . .	8	5	1	...	.		6	2
	Total ...	47	29	5	...	14	1	49	10
Irrawaddy.	Deputy Commissioner, Henzada	27	11	...	1	5	1	18	11
	Deputy Commissioner, Bassein ...	12	14	...	..	4	1	19	3
	Deputy Commissioner, Thôngwa	10	5	...	..	2	...	7	3
	Deputy Commissioner, Thayetmyo ...	7	5	...	...	1	...	6	2
	Commissioner of Irrawaddy	2	2		...	.	.	2	...
	Total	58	37	.	1	12	2	52	19
Tenasserim.	Deputy Commissioner, Amherst	10	3	..	..	4	1	8	2
	Deputy Commissioner, Shwegyin	11	8	...	...	..	...	8	3
	Deputy Commissioner, Toungoo	4	2	.	...	2	...	4	2
	Deputy Commissioner, Tavoy	1	1	...	...		...	1	..
	Deputy Commissioner, Mergui	1	..	...	...	1		1	...
	Deputy Commissioner, Salween	..	...	...	...			..	...
	Commissioner of Tenasserim ...	...	1	..	...	.	...	1	..
	Total	27	15	...	...	7	1	23	7
	Grand Total ...	138	84	5	1	33	4	127	39
	In 1890 ..	148	107	10	11	38	1	167	25

* Excluding cases pending from previous year.

During the year under report 138 appeals were preferred to the Judicial Commissioner from decisions of the Commissioners and Deputy Commissioners, 127 were disposed of, and 39 were pending at the end of the year, of which three cases had been on the files for more than four months. The number of appeals undisposed of would have been smaller but for the fact that during the last month of the year I was occupied with the work of the Recorder, and especially engaged in holding an unusually long criminal sessions. Out of 127 appeals decided by the Judicial Commissioner 84, or 66 per cent., resulted in the confirmation of the decrees of the Courts below, while in the remainder the decrees were modified or reversed or a remand was directed. In 1890, 167

appeals were decided by the Judicial Commissioner who confirmed 107, or 64 per cent., of the decisions of the Lower Courts. During 1891 twelve fewer appeals were made to the Judicial Commissioner than in 1890 and two more than in 1889.

The percentage of decrees confirmed has steadily increased of late in a manner which shows that there must have been some improvement in the work of the Subordinate Court. The percentages for the last four years have been as follows:—

1888.	1889.	1890.	1891.
53	60	64	66

18. The following table shows the number and result of miscellaneous appeals preferred in the Court of the Judicial Commissioner:—

Division.	Court from whose decision appeal was made.	Number of appeals preferred.*	Number of appeals disposed of.						Pending.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	
Arakan ...	Deputy Commissioner, Akyab	1	...	1	...	...	...	1	...
	Total ...	1	...	1	...	...	...	1	...
Pegu ...	Deputy Commissioner, Hanthawaddy ...	1	1	...	...	...	...	1	...
	Deputy Commissioner, Pegu	1	...	1	...	...	...	1	...
	Total ...	2	1	1	...	...	...	2	...
Irrawaddy ...	Deputy Commissioner, Bassein	1	...	...	...	...	...	...	1
	Total ...	1	...	...	...	...	...	...	1
	GRAND TOTAL ...	4	1	2	...	...	...	3	1
	In 1890 ...	4	2	...	...	2	...	4	...

* The foregoing table calls for no special remark.

19. The following table shows the number and result of applications for revision preferred to the Judicial Commissioner under section 622 of the Code of Civil Procedure and section 25 of the Provincial Small Cause Courts Act:—

Division.	Court for revision of whose decision application was made.	Number of applications preferred.*	Number of applications disposed of.						Pending.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	
Arakan.	Small Cause Court, Akyab	1	...	...	...	1	...	1	...
	Total ...	1	...	...	...	1	...	1	...
Pegu.	Deputy Commissioner, Hanthawaddy	4	3	...	1	...	...	4	...
	Deputy Commissioner, Pegu	1	1	...	...	...	...	1	...
	Small Cause Court, Pegu	1	...	...	...	...	1	1	...
	Deputy Commissioner, Tharrawaddy	...	1	...	...	...	...	1	...
	Deputy Commissioner, Prome	1	1	...	...	...	1	2	...
	Commissioner of Pegu	1	1	...	...	...	...	1	...
	Total ...	8	7	...	1	...	2	10	...
Irrawaddy.	Deputy Commissioner, Henzada	1	...	...	...	...	1	1	...
	Deputy Commissioner, Thayetmyo	1	...	...	...	1	...	1	...
	Total ...	2	...	...	...	1	1	2	...
Tenasserim.	Small Cause Court, Amherst	1	...	...	...	...	1	1	...
	Judge of Moulmein	2	...	...	...	1	1	2	...
	Total ...	3	...	...	...	1	2	3	...
	GRAND TOTAL ...	14	7	...	1	3	5	16	...
	In 1890 ...	21	17	2	...	3	...	22	2

* Excluding cases pending from previous year.

20. Besides 16 applications shown in the above table, the Judicial Commissioner disposed of 91 miscellaneous applications of which—

4 were for review of judgment;
3 were complaints against the conduct of Advocates;
47 were applications preferred by Advocates for enrolment or reinstatement, or for verification or renewal of their certified extracts from the roll or for permission to practise in other districts;
1 was an application by a clerk against order of dismissal;
1 was an application for permission to appeal *in formâ pauperis*;
3 were applications for transfer of cases;
13 were applications under section 26 of the Lower Burma Courts Act;
1 was an application by a number of inhabitants of Akyab objecting to a certain Advocate practising in the Arakan division;
1 was an application asking for extension of time to file accounts in a certain case;
1 was an application seeking that the sureties to a bond might be called upon to pay up the amount of the bond;
12 were applications containing general complaints against the proceedings of Lower Courts; and
4 were applications to have appeals restored to the file.

III.—Miscellaneous.

21. The following table shows the financial result of the rules framed under section 20 of the Court Fees Act regulating the fees chargeable for serving processes and remuneration of peons of the Civil Courts:—

Division.	Name of district.	Number of processes issued.	Receipts from process-fees.	Charges including salaries of process-servers, contingencies, &c.
			Rs. A. P.	Rs. A. P.
Arakan.	Akyab	8,688	4,925 14 0	3,967 4 3
	Kyaukpyu	2,421	1,588 12 0	1,907 15 0
	Sandoway	1,434	666 0 0	476 11 9
	Northern Arakan	...	...	...
	Total ...	12,543	7,180 10 0	6,351 14 3
Pegu.	Hanthawaddy	6,196	4,500 0 0	1,264 7 0
	Pegu	6,215	8,139 0 0	4,282 10 0
	Tharrawaddy	8,568	5,637 5 0	2,115 0 6
	Prome	8,924	4,826 0 0	5,168 6 0
	Total ...	29,903	23,102 5 0	12,830 7 6
Irra-waddy.	Henzada	9,995	6,058 14 0	2,808 0 0
	Bassein	9,522	5,312 2 0	2,385 11 4
	Thôngwa	13,672	10,768 8 0	2,948 14 4
	Thayetmyo	3,206	3,000 12 0	1,240 8 0
	Total ...	36,395	25,140 4 0	9,383 1 8
Tenasserim.	Amherst	8,093	5,250 5 0	6,109 0 0
	Shwegyin	6,551	3,978 10 0	195 9 9
	Toungoo	6,965	2,238 4 0	2,305 2 6
	Tavoy	2,725	1,536 2 0	615 5 4
	Mergui	1,701	1,380 0 0	329 0 0
	Salween	211	184 4 0	90 0 0
	Moulmein	7,396	4,265 8 0	1,482 10 0
	Total ...	33,642	18,833 1 0	11,726 11 7
	Grand Total ...	112,483	74,256 4 0	40,292 3 0
	In 1890 ...	112,952	76,434 2 0	55,602 2 7

The foregoing table shows that the Civil Courts in Lower Burma issued for service 112,952 in 1890 and 112,483 in 1891. The process-fees yielded

Rs. 71,256 and the cost of service is shown as Rs. 40,292. The latter figure, however, is merely an estimate Under the system recently introduced the same process-servers serve all processes, whether civil, criminal, or revenue, and for the purposes of the foregoing table, one-third of their salaries and contingent expenditure has been debited to the Civil Courts. In the report about to be submitted on the working of the process-serving establishment, the figures will show the receipts from process-fees of all sorts, and the whole expenditure incurred on the service of processes.

22. *Inspection.*—The annexed table shows the inspections of Civil Courts during the year made by the Commissioners and Deputy Commissioners and reported to this office. To facilitate inspections, printed forms have recently been prepared which are to be filled in by the Officers of the Courts under inspection, and will give the necessary information on the most important points. The duty, however, of verifying this information by personal examination of the registers rests with the inspecting officer, who should also endeavour to ascertain by examining a number of cases, civil and criminal, how the work is done. Considering the extensive powers with which Myoôks, some of whom are men of very brief experience, are invested, it is obvious that the duty of inspection is one of the most important which a District Officer has to perform, and that the condition of the district must, in a great measure, depend on the thoroughness with which it is done.

The following statement shows the inspection work of Deputy Commissioners and Commissioners:—

District.	Number of Courts liable to inspection other than those at Head-quarters.		Number of Courts actually inspected.		Remarks.
	Township Courts.	Subdivisional Courts.	Township Courts	Subdivisional Courts	
Akyab	7	8	5	8	Naaf and Pauktaw Township Courts not inspected.
Kyaukpyu	..	4	...	8	An Township Court not inspected.
Sandoway	...	2	...	2	
Total Arakan division ...	7	9	5	8	
Hanthawaddy	4	1	4	1	
Pegu	5	1	5	1	
Thairawaddy	5	1	5	1	
Prome	6	2	5	2	Padaung Township Court not inspected.
Total Pegu division ...	20	5	19	5	
Henzada	5	2	5	2	
Bassein	7	2	7	2	
Thôngwa	4	3	4	3	
Thayetmyo	6	2	5	2	Mindôn Township Court not inspected.
Total Irrawaddy division ...	22	9	21	9	
Amherst	11	3	8	..	Yelamaing, Gyaing-Salween, and Salween-Hlaingbwè Township Courts, and Thatôn, Kawkareik, and Hlaingbwè Subdivisional Courts not inspected.
Shwegyin	4	2	3	2	Bilin Township Court not inspected.
Toungoo	5	...	5	...	
Tavoy	2	...	2	...	
Mergui	3	1	2	1	Lenya Township Court not inspected.
Salween...	1	...	1	...	
Total Tenasserim division ...	26	6	21	3	
Grand Total ...	75	29	66	25	

Besides the Courts inspected by the District Officers the following Courts were inspected by Commissioners of Divisions:—

Courts of Deputy Commissioners, Kyaukpyu, Sandoway, and Arakan Hill Tracts, by Commissioner of Arakan.

Subdivisional Courts at Kyaukpyu and Township Courts at Naaf, Pauktaw, Urittaung, and Myohaung in the Akyab district.
Township Court at Sandoway in the Sandoway district.
Township Court at Myebôn in the Kyaukpyu district.
} By Commissioner of Arakan.

Courts of Deputy Commissioners, Toungoo and Shwegyin, by Commissioner of Tenasserim.

Subdivisional Court at Thatôn and Township Courts at Kawkareik, Thatôn, Gyaing-Salween, Wagaru, and Yelamaing in the Amherst district.
Subdivisional Court at Shwegyin in the Shwegyin district.
Subdivisional Court at Toungoo in the Toungoo district.
Township Court at Thanetchaung in the Tavoy district.
} By Commissioner of Tenasserim.

Court of Deputy Commissioner, Henzada, Township Court at Dedaye in the Thôngwa district.—By Commissioner of Irrawaddy.

Township Court at Thabaung in the Bassein district.—By Commissioner of Irrawaddy.

Subdivisional Court at Zigôn, and Township Courts at Sanywe, Minhla, Gyobingauk, and Tapun in the Tharrawaddy district.
Subdivisional Courts at Paungdè and Shwedaung, and Township Courts at Paungdè, Padaung, Mahathaman, and Thegôn in the Prome district.
Subdivisional Court at Insein and Township Courts at Taikkyi and Hmawbi in the Hanthawaddy district.
Subdivisional Court at Kyauktan and Township Courts at Pagandaung, Kyauktan, Kawa, Payagale, and Hlegu and Courts at Pegu.
} By Commissioner of Pegu.

Mr. Ward visited the headquarters of the following districts during the earlier part of the year under report:—Akyab, Kyaukpyu, Tavoy, and Mergui, and during the later months I went to Henzada, Bassein, Tharrawaddy, Prome, Thayetmyo, Toungoo, Pegu, and Moulmein, and also inspected the Myoôks' Courts at Hmawbi, Insein, Gyobingauk, and Paungdè, and the Court of the Deputy Commissioner of Hanthawaddy.

23. The publication of the new edition of the Civil Circulars has been delayed owing to the necessity that has arisen for altering some of the Process-server's registers. The proposed amendments have recently been submitted to Government for sanction, and it is hoped this difficulty will shortly be removed and that the volume of circulars will soon be issued.

24. *Advocates.*—Three new Advocates of the 1st grade who were all Barristers were admitted during the year under report and six Advocates of the 2nd grade. New rules for the admission of Advocates have lately been published and will come into force on 1st July.

25. The most remarkable feature in this report is the nearness with which the figures for the year 1891 correspond with those of 1890. Almost the same number of suits of the same classes have been instituted in the two years and disposed of in the same ways. Even the number of processes issued is almost the same. So far as the progress of civil litigation can be looked upon as an index of the material prosperity of the country, it would appear that there has been very little variation between the two years.

26. Mr. Ward held the office of Judicial Commissioner till 15th May 1891, when I succeeded him.

RANGOON:
The 15th May 1892.

E. M. H. FULTON,
Judicial Commissioner, Lower Burma.

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THE CIVIL JUSTICE REPORT OF UPPER BURMA FOR The year 1891.

From G. D. BURGESS, Esq., C.S.I., Judicial Commissioner, Upper Burma, to the Secretary to the Chief Commissioner, Burma,—No. 1051-35—37, dated the 14th May 1892.

I HAVE the honour to submit the Civil Justice Statements for the year 1891 for Upper Burma.

2. In 1890 Commissioners of divisions exercised the powers of a Judicial Commissioner in their respective jurisdictions for more than half the year. During the past year the whole of the upper province was under the judicial charge of a single officer.

Mr. G. J. S. Hodgkinson, C.S.I., held charge during the year till the 28th of December, when he died suddenly, to the great loss of the province.

1.—ORIGINAL JURISDICTION.

3. There were no original suits instituted or disposed of in the Court of the Judicial Commissioner.

4. The table given below represents the number of suits instituted since 1888 in the Civil Courts of the four divisions :—

	1888.	1889.	1890.	1891.
Northern division	1,977	2,092	2,343	2,227
Central division	798	977	1,097	1,375
Southern division	Not stated	1,994	3,192	3,395
Eastern division	1,941	2,411	2,706	2,421
Total	4,716	7,474	9,338	9,418

The number of suits has very slightly increased over the number of the previous year. In the Central and Southern divisions there has been a small increase, and in the Northern and Eastern a falling off.

5. The following table shows the number of cases instituted in the different Courts of Original Jurisdiction, the number disposed of, and the state of the

files at the close of the year as compared with simillar results for the preceding year :—

Division.	Name of district.	Instituted.		Disposed of.		Pending at the close of the year.			
						Above four months.		Total pending.	
		1890.	1891.	1890.	1891.	1890.	1891.	1890.	1891.
Northern.	Mandalay	297	348	299	332	...	...	1	12
	Bhamo	229	144	232	143	...	...	4	8
	Katha	175	184	167	177	4	...	8	11
	Ruby Mines	28	106	25	104	...	1	8	5
	Shwebo	540	401	526	414	...	...	28	26
	Civil Court, Mandalay ...	1,074	204 / 845*	1,079	224 / 820*	27	4 / 11*	87	26 / 66*
	Total ...	2,348	2,227	2,328	2,214	31	16	131	149
Central.	Ye-u	144	217	148	213	...	2	8	7
	Sagaing	412	491	382	501	11	...	42	27
	Lower Chindwin	345	448	342	433	8	8	10	20
	Upper Chindwin	196	224	181	236	6	2	19	7
	Total ...	1,097	1,375	1,048	1,383	20	7	74	61
Southern.	Myingyan	883	1,002	876	1,009	...	1	30	25
	Pakôkku	883	942	818	932	...	...	21	30
	Minbu	727	634	702	678	30	...	61	21
	Magwe	749	817	781	800	1	...	12	29
	Total ...	3,192	3,395	3,172	3,414	31	1	124	105
Eastern.	Kyaukse	253	320	245	328	2	...	9	6
	Meiktila	1,206	759	1,280	753	..	...	32	38
	Yamèthin	851	821	842	802	1	2	20	47
	Pyinmana	396	521	416	514	...	...	5	19
	Total ...	2,706	2,421	2,783	2,392	3	2	75	110
	Grand Total .	9,388	9,418	9,281	9,403	85	26	404	425

* Small Cause Court cases.

The variations exhibited in this table are somewhat remarkable.

The Court in which most work is done is, of course, the Civil Court, Mandalay, and here the litigation is very nearly stationary, the number of cases being 1,040 against 1,074 in the previous year. The tendency is for suits on the Small Cause side to increase, and on the Regular side to diminish. The Judge assigns a number of reasons, namely, the decrease of speculative litigation, the fall in the value of land, the disposal of cases arising from wrongful dispossession while the country was unsettled, the withdrawal of Chetty moneylenders in large numbers, the introduction of the registration of tenures and of the Registration Regulation, the extension of the whole of the Stamp Act and the establishment of Court-fees, the introduction in full of the law of limitation, and the diminution of the population of the municipality and the decline of trade.

In 1890 the largest number of suits in any district was in Meiktila, namely, 1,206, which has dropped to 759 last year. The Deputy Commissioner says the decrease is due in a large measure to the poverty of the people consequent on the failure of their crops, and the Deputy Commissioner, Yamèthin, gives a similar explanation.

In Shwebo scarcity may have had a similar effect, though the Deputy Commissioner puts the diminution down to the completion of Railway work, but it is otherwise in Pyinmana, Myingyan, Ye-u, and Sagaing, which have also suffered from the severe drought, and yet show an increase of litigation.

The increase in Pyinmana may be expected to continue as population returns, more than half the villages occupied at the time of the annexation being said to be still deserted.

The decrease in Bhamo is ascribed to the satisfactory stoppage of litigiousness in Bhamo town, through the appointment of a Judge versed in the language and habits of Indians, and in Shwegu through the dispersal of the quarrelsome colony of the forest lessee.

In Minbu the decrease is ascribed to the disposal in the previous year of old standing disputes. In the Ruby Mines the increase is attributable to the development of Mogôk and the settlement there of many Natives of India. In other places there is a natural increase from the pacification of the country and the improvement of trade.

The total number of cases pending at the end of the year has very slightly risen. The cases pending for upwards of four months have fallen from 85 to 26, which is gratifying. Of the 26 cases, the Mandalay Civil Court is responsible for 15, leaving only 11 in the rest of the province. The causes of delay as regards the Civil Court are the difficulty of serving process out of the jurisdiction and failure to find defendants. Similar difficulty is mentioned in the districts.

6. The following table shows the character of original litigation in the different districts and classes of Courts:—

Division.	Name of district.	Number of suits													
		On written obligation.	On unwritten obligation.	On account stated.	Money had and received.	For goods sold.	For breach of contract not mentioned above.	For rent.	For moveable property or value thereof.	For damages.	For immoveable property or interest therein.	For specific performance of contract.	For dissolution of marriage or for enforcement of matrimonial rights.	Other suits.	Total
Northern.	Mandalay	57	41	5	59	49	32	21	28	14	20	...	5	6	348
	Bhamo	12	17	2	27	40	10	10	9	3	2	.	6	...	144
	Katha	29	34	0	25	30	12	14	14	3	2	...	8	4	184
	Ruby Mines	11	23	.	9	36	20	1	1	2	..	...	2	1	106
	Shwebo	60	67	9	42	50	41	25	45	14	42	..	4	2	401
	Civil Court, Mandalay ...	53	9	4	4	5	3	3	3	6	76	2	17	26	204
		*338	75	3	99	171	85	48	19	7	...	...	...	...	845
	Total ...	560	259	32	265	381	203	122	119	49	148	2	42	30	2,227
Central.	Ye-u	29	28	3	6	28	4	3	7	17	68	.	5	19	217
	Sagaing	114	66	7	31	54	18	17	57	30	77	..	11	9	491
	Lower Chindwin ...	103	40	13	16	44	12	12	49	11	92		14	37	443
	Upper Chindwin ...	60	46	9	4	27	20	6	25	3	11		8	5	224
	Total ...	306	180	32	57	153	54	38	138	61	248	...	38	70	1,375
Southern.	Myingyan	160	130	7	23	162	8	24	93	97	262		11	16	1,002
	Pakôkku	155	103	4	31	116	49	40	67	45	253	.	34	43	942
	Minbu	125	70	9	20	77	12	23	120	27	109	1	16	19	634
	Magwe	146	131	20	33	100	21	26	133	36	130		26	15	817
	Total ...	586	443	40	116	455	90	113	413	205	754	1	87	92	3,395
Eastern.	Kyaukse	34	41	7	20	40	20	22	65	26	29	...	14	2	320
	Meiktila	161	194	6	0	131	22	17	59	27	109		14	0	750
	Yamèthin	174	93	..	44	77	15	25	115	13	243	..	10	13	821
	Pyinmana	149	45	5	38	112	04	6	27	16	30		13	7	521
	Total ...	519	373	18	111	360	121	70	266	82	429	.	51	31	2,421
	Grand Total ...	1,971	1,254	122	549	1,349	474	343	936	397	1,570	3	218	232	9,418
	In 1890 ..	2,362	1,210	147	605	1,193	434	195	730	311	1,686	2	177	284	9,336

* Small Cause Court cases.

The decrease in suits on written obligation is perhaps due to the gradual elimination of those brought on old documents of doubtful character, and the

more careful preparation of instruments under the Stamp Law and the influence of European methods.

The Deputy Commissioner, Magwe, thinks that people abstain from producing documents because they are unstamped and would be liable to a penalty.

Suits for immoveable property have diminished from 1,686 to 1,570 or by 116, but, on the other hand, suits for rent have gone up from 195 to 343 or by 148.

In Mandalay suits for immoveable property decreased from 109 in 1890 to 76 in 1891. Owing to the depreciation of the value of land the money-lenders now prefer the security of gems and jewellery. The largest part of the litigation concerning land lies in the same districts as last year, namely, all those of the Southern division, Meiktila and Yamèthin, the Lower Chindwin and Sagaing. Next come Ye-u and Shwebo. The reason no doubt is that in these districts land is more generally bobabaing or private property as distinguished from State, and that in consequence of the scanty rainfall land in certain situations is particularly valuable.

The Deputy Commissioner, Minbu, says that the litigation takes place because there is so much valuable irrigated land in the district. On the other hand, in the well-irrigated district of Kyauksè suits are comparatively few, doubtless because questions relating to land are mostly settled in the Revenue Courts.

The absence of land suits in Bhamo is attributed to the prevailing system of village community tenure.

In Magwe, the Deputy Commissioner says, the falling off in suits relating to immoveable property is due to a general decision as to the tenure of land not being hereditary or transferable.

7. The remarks made in last report apply to the character of the litigation which is frequently complex and difficult. Under the Burmese system there was little or no limitation of time for the recovery of immoveable property and the settling down of the country, the greater security of property, and the increased value of culturable land act as incentives to put forward old claims which would probably have died out under the Native Government. The Deputy Commissioner, Yamèthin, reports: "Many old cases dating from be-"fore the annexation are being brought up. They are principally suits for "redemption of mortgaged lands and for partition of estates."

The Deputy Commissioner, Lower Chindwin, explains that the large number of suits relating to immoveable property in Eastern and Western Pagyi is due to people who had left the district returning and claiming their rights to redeem land, share in or possess it, lest their claims be barred by limitation.

The Deputy Commissioner, Myingyan, says: "One of the joint heirs redeems "a part of the ancestral property and mortgages it again at a profit. The other "heirs then claim to share in the profits, but as they do not sue in a body, and it "is difficult to ascertain what each heir's share is, the suitors do not generally "get much satisfaction."

No doubt cases of hardship occur in consequence of the revival of these old claims, but the habit of compromise is so common that it is not possible to estimate the extent to which this happens. It is likely that many matters are revived which have been virtually settled long years ago, but it is impossible to tell with certainty, for the inferior Burmese tribunals seem either to have kept no records at all, or those they had have perished, and it was the practice for the parties interested to keep duplicates or copies of the decisions given, the consequence of which is that two or more documents may be produced purporting to be the same old decision, but settling questions and awarding property in favour of opposite sides. The material called parabaik, which is generally used for writing among the people, readily lends itself to any kind of fraudulent manipulation, and a suggestion for dealing with documents of this kind has been discussed during the year, and the question is still under enquiry. It is doubtful, however, whether anything can safely be done as regards the past, but with respect to the future the time clearly appears to have arrived for introducing

compulsory registration of instruments relating to immoveable property throughout the greater part of the country. The proper investigation of cases affecting immoveable property is of much importance, and special arrangements in the matter have been under consideration. In Meiktila the Deputy Commissioner caused all such cases to be tried in Courts superior to Township Courts. In some instances the Myoòks are myothugyis, that is, landholders in their own townships, and it is undesirable that they should deal with suits relating to land.

8. The table below shows the value of original suits :—

Division.	Name of district.	Number of suits instituted not exceeding in value Rs. 10.	Rs. 20.	Rs. 50	Rs. 100	Rs. 300.	Rs. 500.	Rs. 1,000.	Rs. 5,000.	Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.	Total value of suits
													Rs A. P
Northern.	Mandalay	62	80	98	58	33	8	3	..	..	.	6	18,121 9 3
	Bhamo	24	.	67	27		19		1	..		6	9,007 1 0
	Katha ...	14	29	49	43	27	12	3	.	...		7	16,480 11 4
	Ruby Mines .	10	.	40	23	25	4	2	1			1	11,731 11 4
	Shwebo .	67	89	88	98	55	4	6	1	...		8	31,973 14 7
	Civil Court, Mandalay.	{ 3	2	8	7	28	18	50	45	0	3	30	2,50,650 11 1
		{ *120	116	245	142	101	50				...		70,552 7 8
	Total	299	318	595	498	329	105	70	48	9	3	53	4,14,488 3 0
Central.	Ye-u .	25	37	72	41	29	5	1	1	...		5	13,941 14 3
	Sagaing	60	72	133	112	67	10	2	4	...	.	11	44 977 13 0
	Lower Chindwin .	49	71	118	* 90	73	.	5	1	.	..	27	33,057 13 10
	Upper Chindwin .	18	56	56	48	31	4	3	...			8	15,573 1 0
	Total	152	236	379	300	220	19	11	6			52	1,07,550 10 7
South-Eastern.	Myingyan	96	.	442	218	148	51	14	16	8	...	13	1,35,480 13 5
	Pakòkku	112	196	184	215	175	10	8	3	..		37	80,780 4 1
	Minbu ..	80	108	180	106	107	18	11	5		.	10	60,830 2 8
	Magwe .	132	152	214	172	107	5	7	1		...	27	56,228 10 0
	Total	420	456	1 021	711	537	84	40	25	3		90	3,33,287 14 6
East-ern.	Kyauksè	43	50	90	72	38	5	3	2	.	..	17	22 464 1 8
	Meiktila	81	112	278	146	100	15	4	3	.		14	57,020 0 10
	Yamèthin ...	95	132	210	107	152	21	11	3			10	71,920 0 1
	Pyinmana ...	55	83	130	109	92	15	10	10	1	1	15	80,888 11 4
	Total	274	377	728	494	388	56	28	18	1	1	56	2,32,302 15 11
	Grand Total ..	1,145	1,389	2,723	1,903	1,474	264	149	97	13	4	257	10,87,629 12 0
	In 1890 ...	817		4,033	2,052	.	1,891	170	151	18	8	189	14,08,192 12 6

* Small Cause Court cases

The value of original suits in 1891 was Rs. 10,87,629-12-0 as against Rs. 14,08,192-12-6 in the preceding year. The number of suits of the higher values has fallen off.

The proportion of suits under Rs. 10 in value was 12·16 per cent., above Rs 10 and under Rs. 50 43 66 per cent., and above Rs. 50 and under Rs. 100 20·21 per cent.

The increased number of suits under Rs 10 appears to be a healthy sign as indicating that the Courts are esteemed a useful agency for the recovery of small debts which would otherwise have to be foregone or left to some uncertain method of settlement.

In the Civil Court, Mandalay, a number of suits were brought for such small sums as Rs. 3 or Rs. 4. There were 58 suits of a value under Rs. 5.

In the Civil Court, Mandalay, the value of suits has declined from Rs. 4,66,686 to Rs. 3,27,203, the supposition being that in the previous year certain large claims were forced into Court to avoid the effect of the introduction of the provisions of the Limitation Act in full. In Bhamo the large falling off is in consequence of the institution in 1890 of a suit for a lakh and forty thousand rupees relating to the rubber monopoly. The fluctuations in other districts do not call for special remark, particularly after so bad a season as that of last year.

9. The manner in which litigation was disposed of in the several Courts is shown below :—

Division.	Name of district.	Number of cases brought on the file including pending from last year.	Transferred.	Plaints rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed ex-parte.	Dismissed ex-parte.	Contested cases. Judgment for plaintiff in whole or in part.	Contested cases. Judgment for defendant.	Total disposed of.	Pending.	Referred to arbitration.
Northern	Mandalay	344	...	..	21	5	22	53	22	15	152	30	332	12	3
	Bhamo	146	..	1	12		17	36	10		50	16	142	3	1
	Katha	168	..	1	16	5	34	35	10	5	59	11	127	11	2
	Ruby Mines	109	..		4		8	13	10	6	55	8	104	5	
	Shwebo	440	...	4	51		73	79	43	33	71	49	414	26	11
	Civil Court, Mandalay	*250 †380	...	10 12	21 125	2 17	11 61	56 143	46 276	... 1	42 122	36 61	224 820	22 66	... .
	Total	2,363	.	28	250	29	226	416	419	58	551	220	2,214	140	17
Central	Ye-u	220	.	7	24	12	36	6	10	10	69	30	213	7	...
	Sagaing	528	...	12	35	1	77	23	44	36	192	79	501	27	2
	Lower Chindwin	453	.	2	25	...	90	34	28	7	151	68	433	20	19
	Upper Chindwin	243	..	6	14	3	58	53	13	5	64	19	236	7	8
	Total	1,444	..	27	98	16	270	116	95	58	476	196	1,383	61	29
Southern	Myingyan	1,034	.	8	103	34	103	44	112	5	293	144	1,000	25	13
	Pakôkku	962		4	80	22	109	76	49	15	331	144	992	30	5
	Minbu	604		5	92	5	119	102	52	14	172	84	673	21	30
	Magwe	829		9	199	21	122	146	49	10	150	66	800	29	4
	Total	3,519		26	594	80	633	370	262	44	946	458	3,414	105	52
Eastern	Kyaukså	329	...	1	39	6	70	23	11	14	126	30	323	6	3
	Meiktila	791			136	5	115	67	85	19	242	60	758	38	24
	Yamèthin	849	...	1	42	12	73	37	69	60	306	134	802	47	60
	Pyinmana	533		2	9	41	39	95	77	46	129	76	514	19	...
	Total	2,502		4	226	64	296	222	242	148	803	300	2,392	110	87
	Grand Total	9,828	...	85	1,168	189	1,425	1,124	1,018	308	2,776	1,176	9,403	425	185
	In 1890 ...	9,085	...	84	1,122	121	1,477	1,028	1,011	395	2,659	1,075	9,281	404	309

* Superior side. | † Small Cause side.

The percentage of contested cases is 42·03 as compared with 40·2 in the preceding year.

The percentage of dismissals for default is 12·09 as against 11·78 in 1891. Considering how many officers have been called away from their ordinary duties to attend to the work of famine relief, it would not have been surprising to find a considerable increase of dismissals for default. Most of these cases have probably been adjusted between the parties who abstain from attending Court in consequence.

The Civil Judge, Mandalay, says: "Of those dismissed in default, a large "number were actually certified as paid up in full, or otherwise adjusted by com- "promise out of Court; certified, that is, by the process-servers, who took the "summons. A note of this was made on the record, but the only legal order "that could be passed was, 'Dismissed in default.'" It is the same elsewhere.

The proportion of cases compromised is 15·15 per cent, while in the year before it was 15 per cent. It is hard to say how far such a termination of litigation is satisfactory, and how far it indicates the employment of the machinery of the Courts for oppressive purposes.

The Commissioner, Southern Division, says: "The number of cases com- "promised is large in some courts, larger in my opinion than it should be if the "Judges all did their work thoroughly well and speedily."

A Burman who has a little money at command to spend on litigation is not indisposed to use it to gain an advantage over his poorer neighbour, who has not the means of engaging in a prolonged contest in the Courts. The Deputy Commissioner, Meiktila, reports that unfounded claims to lands and palm-trees are deliberately put forward in the hope of getting at least a season's work out of them.

The proportion of cases in which the defendant was successful was very nearly 30 per cent. In Lower Burma in 1890 it was 40 per cent.; and in the same year in Oudh the defendant obtained judgment in about a third of the contested cases.

10. The average duration of suits in the Courts of Original Jurisdiction was as follows:—

Division.	Name of district.	Average duration of suits.			
		For previous year.		*For year of report.*	
		Contested.	Uncontested.	Contested.	Uncontested.
		Days.	Days.	Days.	Days.
Northern.	Mandalay	11	8	12	10
	Bhamo	11	9	10	12
	Katha	9	11	15	7
	Ruby Mines	11	16	12	7
	Shwebo	22	11	33	16
	Civil Court, Mandalay	33	16	33*	68
				18†	15
	Total	21	14	24	20
Central.	Ye-u	16	12	17	16
	Sagaing	24	13	20	12
	Lower Chindwin	16	11	18	11
	Upper Chindwin	21	15	16	16
	Total	19	12	19	13
South-eastern.	Myingyan	23	15	25	15
	Pakôkku	15	12	14	11
	Minbu	34	21	38	20
	Magwe	29	26	16	10
	Total	18	14	23	14
Eastern.	Kyauksè	12	10	20	12
	Meiktila	18	11	24	14
	Yamèthin	16	10	17	12
	Pyinmana	27	11	19	11
	Total	18	11	20	12
	Grand Total	20	20	22	15

* Superior side. † Small Cause side.

The average duration of cases is calculated at 22 days for contested and 15 for uncontested cases, while in the previous year 20 days' duration is entered for both classes of cases. Where the duration of cases has increased, some special cause has, perhaps, been operating, such as the additional work thrown on the officers in certain districts by famine relief in consequence of the drought.

In Bhamo uncontested cases take longer than contested, and in Ye-u and the Upper Chindwin about equally long.

In the Mandalay Civil Court there is no great difference between the duration of contested and uncontested cases, which the Judge thinks is the normal result in India. The explanation given is that, excepting cases in which commissions issue, the usual cause of delay is the difficulty of effecting service of

summons on the defendant, who is frequently a person having dealings with shopkeepers or money-lenders, and then leaving Mandalay for Southern India or elsewhere.

The duration of cases is comparatively high in the following Courts :—

	Contested.	Uncontested
Mandalay—		
Amarapura	84	...
Madaya	187	19
Madaya township	21	40
Bhamo—		
Bhamo subdivision	23	...
Shwegu subdivision	..	158
Shwebo—		
Shwebo subdivision	27	29
Sheinmaga	42	16
Shwebo township	85	26
Malè	61	...
Katha—		
Mansi subdivision	44	...
Kyaukhnyat township	61	...
Ye-u—		
Tazè	82	27
Sagaing—		
Ava subdivision	20	...
Myinmu	87	21
Ava township	88	...
Lower Chindwin—		
Eastern subdivision	27	54
Mônywa township	88	18
Upper Chindwin—		
Kindat subdivision	24	81
Uyu	...	85
Myingyan—		
Myingyan subdivision	56	19
Pagan	87	40
Popa	46	...
Seittein	42	...
Pakôkku—		
Pakôkku subdivision	63	82
Minbu—		
Minbu subdivision	29	24
Salin	84	...
Sagu township	35	...
Ngapè	80	...
Sadôktaya	104	91
Dabwin	22	88
Kyabin	84	19
Magwe—		
Yenangyaung subdivision	86	...
Kyauksè—		
Kyauksè subdivision	78	...
Meiktila—		
Meiktila subdivision	72	28
Thazi township	84	19
Yamèthin—		
Yamèthin subdivision	46	..
Pyawbwe subdivision	54	27
Pyinmana—		
Pyinmana subdivision	26	29
Western subdivision	88	...
Wanwègôn township	37	...

Protracted duration is of course often unavoidable, as when it is due to changes among officers, illness contracted on duty and such like, but when it is owing to laziness, as stated in the Meiktila report, or to slowness, as in the case of Sagu, measures must be adopted to remedy matters. Some of the longer durations are caused by a small number of suits giving a high average. The number of Courts with long duration is somewhat large in the Northern and Southern divisions.

The excessively high average in the Sadôktaya Court is the consequence of the great number of suits lasting over four months which were pending at the end of 1890.

The duration in Subdivisional Officers' Courts is generally put down to the frequent and prolonged absences from headquarters required by the extent of their charges.

In all cases, however, there can be no doubt that much delay in the disposal of suits would be avoided by more method and better arrangement.

11. The following table shows the number of applications for execution and the degree in which the applications were satisfied :—

Division.	Name of district.	Number of applications for execution, including those pending from last year.	Decrees completely satisfied.	Decrees partially satisfied.	Pending at the close of the year.
Northern.	Mandalay	68	45	11	7
	Bhamo	19	15	2	1
	Katha	19	8	2	7
	Ruby Mines	39	22	2	7
	Shwebo	61	34	7	16
	Civil Court, Mandalay ...	297*	41	121	21
		231†	102	44	15
	Total ...	734	267	189	74
Central.	Ye-u	18	11	1	3
	Sagaing	91	53	15	7
	Lower Chindwin	48	45	1	...
	Upper Chindwin	35	18	11	2
	Total ...	192	127	28	12
Southern.	Myingyan	161	93	39	13
	Pakôkku	126	99	16	8
	Minbu	100	46	22	17
	Magwe	102	59	16	8
	Total ...	489	297	93	46
Eastern.	Kyauksè	46	22	22	2
	Meiktila	151	91	28	19
	Yamèthin	107	71	16	9
	Pyinmana	113	54	29	5
	Total ...	417	238	90	35
	Grand Total ...	1,832	929	400	167
	In 1890 ...	1,447	664	276	77

* Superior side. | † Small Cause side.

There is a general increase in the number of applications for execution of decree, which may be taken as a symptom of improvement in the working of the Courts. The people do not yet generally understand the system of execution. In the Mandalay Civil Court as many as 184 applications were wholly infructuous, but the Judge says the realization of amounts decreed was better than in the year before, the provision of a civil gaol having inspired dishonest debtors with a wholesome fear. He gives the following table of judicial deposits in illustration of the improved machinery of the Court :—

Year.	Amount. Rs.	
1886	8,262	(for three months).
1887	7,531	
1888	60,733	
1889	39,061	
1890	1,01,990	
1891	1 08,732	

12. Processes in execution were issued as follows :—

Division.	Name of district.	Mode of execution.						Orders under section 248, Civil Procedure Code.
		Delivery of possession.	Imprisonment of person.	Moveable property.		Immoveable property.		
				Attached.	Sold.	Attached.	Sold.	
Northern.	Mandalay	2	...	11	17	5	6	...
	Bhamo	...	...	12	5	...	...	...
	Katha	3	...	4	1	1	...	...
	Ruby Mines	...	...	15	3	2	3	...
	Shwebo	...	...	17	18	...	2	...
	Civil Court, Mandalay ...	73	1	4	21	...	44	...
		96	3	11	22	8	...	...
	Total ...	174	4	74	87	16	55	...
Central.	Ye-u	...	...	6	3	...	...	...
	Sagaing	2	...	15	16	19	10	...
	Lower Chindwin	9	...	9	7	17	4	...
	Upper Chindwin	4	...	10	9	3	3	...
	Total ...	15	...	40	35	39	17	...
Southern.	Myingyan	16	...	51	23	36	11	...
	Pakôkku	5	...	70	17	13	6	...
	Minbu	9	...	18	12	24	10	...
	Magwe	5	...	45	14	6	3	...
	Total ...	35	...	184	66	79	30	...
Eastern.	Kyauksè	1	...	17	8	13	2	...
	Meiktila	18	...	72	19	4	...	...
	Yamèthin	1	...	51	14	20	1	...
	Pyinmana	1	...	27	14	32	9	...
	Total ...	21	...	167	55	69	12	...
	Grand Total ...	245	4	465	243	203	114	...
	In 1890 ...	99	...	506	168	163	96	4

Execution of decree was effected by delivery of possession in 245 cases as against 99 in the previous year. This was due in Meiktila to the comparatively large number of cases of disputed claims to land. The number of imprisonments of the person was four only under the orders of the Civil Court, Mandalay. This means of coercion does not exist elsewhere in the province.

Moveable property was sold in 243 instances as compared with 168 in 1890. The number of sales of immoveable property differed little from the number in the previous year, being 114 against 96.

II.—Appellate Jurisdiction.

13. The following table shows the number and result of appeals preferred to the District or Deputy Commissioners' Courts from the decrees of subordi-

nate Courts, the number pending at the close of the year, and the average duration of appeals :—

Division.	Appellate Court.	Number of appeals preferred.	Number of appeals disposed of.						Pending.		Average duration of appeals.
			Confirmed	Modified.	Remanded.	Reversed	Otherwise disposed of, including transfers	Total.	Over three months.	Total.	
Northern.	Mandalay ...	18	8	...	..	4	...	12	...	1	28
	Bhamo ...	3	3	...	..	..	...	3	...	..	9
	Katha	2	1	.	...	1	..	2	...	...	27
	Ruby Mines ...	7	4	...	...	2	...	6	.	1	5
	Shwebo ...	20	18	1	...	4	...	18	...	2	6
	Civil Court, Mandalay ..	...	...	...	...	...	...	...	...	...	...
	Total ...	45	29	1	...	11	...	41	..	4	18
Central.	Ye-u ...	12	8	..	...	3	..	11		1	35
	Sagaing	41	20	1	1	19	.	41	...	...	18
	Lower Chindwin ...	38	16	1	..	13	8	38	...	..	47
	Upper Chindwin ..	5	1			2	2	5	...	...	25
	Total ...	96	45	2	1	37	10	95	.	1	30
Southern.	Myingyan	88	54	7		20	2	83	...	5	24
	Pakôkku .. .	78	37	4	4	15	13	73	...	...	80
	Minbu	70	35	11	4	14	...	64	...	6	32
	Magwe	43	25	.	2	10	6	43	...		17
	Total ...	274	151	22	10	59	21	268	..	11	40
Eastern.	Kyaukse .. .	20	10	...	2	7	...	19	...	1	21
	Meiktila	81	16	4	2	6		28	1	8	43
	Yamèthin . ..	105	61	9	3	25	..	98	2	7	18
	Pyinmana ..	28	18	4	...	5	...	27	...	1	15
	Total ...	184	105	17	7	43	...	172	3	12	22
	Grand Total ...	599	330	42	18	150	31	571	3	28	31
	In 1890 ...	520	310	41	2	125	24	502	...	52	30

The tendency is for appeals to increase. Much appellate work is at present done under the name of revision. This is due in a great measure to the special provisions of the Civil Justice Regulation. The powers of revision conferred by the Regulation have the effect of providing a cheap appeal in almost all cases, and the results of revision have to be considered in conjunction with those of appeal. Unfortunately no return has been prescribed for revisions by Deputy Commissioners so that statistics cannot be given.

The proportion of decrees confirmed to the number of appeals disposed of was 57 79. In Sagaing out of 41 appeals 21 decrees were reversed and modified.

In Lower Chindwin, Minbu, Kyaukse, Meiktila, and Yamèthin the percentage of interference is also somewhat high.

The Deputy Commissioner, Yamèthin, ascribes this to the number of old Burman officials in his district, who are disposed to apply Burmese customs to the decision of suits.

The duration of appeals is 31 days as against 30 days in 1890.

Pakôkku has improved, but still shows 80 days. Ye-u with 35 days, the Lower Chindwin with 47, Minbu with 32, and Meiktila with 43, have room for reduction.

14. The following table shows the number and result of appeals to Commissioners' Courts from the decrees of the Deputy Commissioners' or District Courts, the number of appeals pending at the close of the year, and the average duration of appeals:—

Appellate Court.	Number of appeals preferred.	Number of appeals disposed of.						Pending.		Average duration of appeals
		Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of, including transfers.	Total.	For more than three months.	Total.	
Commissioner, Northern Division	1	1	...	...	...		1	...	...	35
Commissioner, Central Division	1	1	...	..	..	...	1	...		88
Commissioner, Southern Division	...		...	..	...	...	.	..	...	
Commissioner, Eastern Division . .	...	...	...	...	...	...	.	...	...	...
Total ..	2	2	...	...	...	...	2	. .	..	61
In 1890 ..	2	2		...	.	...	2	...	..	...

The number of appeals to Commissioners is the same as last year.

The number of cases in which an appeal lies to the Court of the Commissioner is small.

15. The following table shows the number and result of regular appeals preferred in the Court of the Judicial Commissioner, Upper Burma:—

Division.	Court from whose decision appeal was made.	Number of appeals preferred.	Number of appeals disposed of.						Pending.
			Confirmed	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	
Northern	Civil Court, Mandalay	34	18			12	2	32	2
	Total ...	34	18	...	...	12	2	32	2
Central	Deputy Commissioner, Sagaing ...	1	...	...	...	1	...	1	...
	Total ...	1	...	...	. .	1	.	1	...
Southern	Deputy Commissioner, Myingyan	1	..	.	...		1	1	.
	Deputy Commissioner, Minbu	2	1	...	...	1	...	2	
	Total ...	3	1		.	1	1	3	
Eastern	Deputy Commissioner, Kyaukse	1				1		1	
	Deputy Commissioner, Yamèthin	1	1	..		.		1	
	Deputy Commissioner, Pyinmana	2	1		..	1	. .	2	..
	Total ...	4	2	...	..	2	..	4	...
	Grand Total ..	42	21	..		16	3	40	2
	In 1890 ...	50	27	6	1	11	1	46	4

In the previous year there were 50 appeals, 23 of which were to Commissioners acting as Judicial Commissioner. Of the 40 appeals disposed of last year 16 or 40 per cent. ended in reversal of the decree of the lower Court.

16. The following table shows the number and results of miscellaneous appeals and applications preferred to the Court of the Judicial Commissioner :—

Division.	Court from whose decision the appeal was made.	Number of appeals preferred.	Number of appeals disposed of.						Pending.
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	
Northern.	Judicial Commissioner, Upper Burma ...	6	3	...	...	...	3	6	...
	Deputy Commissioner, Shwebo ...	1	...	...	...	1	...	1	...
	Civil Court, Mandalay	11	5	1	...	1	4	11	...
	Total ...	18	8	1	...	2	7	18	...
Central.	Deputy Commissioner, Ye-u ...	1	...	...	...	1	...	1	...
	Deputy Commissioner, Lower Chindwin..	1	1	...	...	...	...	1	...
	Total ...	2	1	...	...	1	...	2	...
Southern.	Deputy Commissioner, Myingyan ...	2	...	...	...	...	2	2	...
	Deputy Commissioner, Magwè ...	1	...	...	1	...	...	1	...
	Assistant Commissioner, Popa, Myingyan	1	...	...	...	...	1	1	...
	Subdivisional Officer, Myingyan ...	1	...	...	...	...	1	1	...
	Total ...	5	...	...	1	...	4	5	...
Eastern.	Commissioner	2	...	...	...	...	2	2	...
	Deputy Commissioner, Kyauksè ...	2	...	...	...	...	2	2	...
	Deputy Commissioner, Yamèthin ...	5	1	...	...	...	3	4	1
	Subdivisional Officer, Kyauksè ...	2	...	...	...	1	1	2	...
	Subdivisional Officer, Pyinmana ...	2	...	...	1	...	1	2	...
	Total ...	13	1	...	1	1	9	12	1
	Grand Total ...	38	10	1	2	4	20	37	1
	In 1890 ...	17	8	1	...	2	4	15	2

The total number of such appeals and applications in the previous year was 17. The cases otherwise disposed of were applications.

17. The following table shows the number and result of applications for revision preferred to the Judicial Commissioner, Upper Burma :—

Division.	Court for revision of whose decision application was made.	Number of applications preferred	Number of applications disposed of.						
			Confirmed.	Modified.	Remanded.	Reversed.	Otherwise disposed of.	Total.	Pending.
Northern.	Deputy Commissioner, Mandalay ...	10	10	...	...	...		10	...
	Deputy Commissioner, Shwebo ..	11	8	1	.	1	...	10	1
	Civil Judge, Mandalay ...	28	* 20	1	...	2	...	23	...
	Civil Judge, Small Cause side ...	1	1		..	...	...	1	...
	Small Cause Court, Cantonment	4	4	..	...		...	4	
	Total ...	49	43	2	..	3	...	48	1
Central.	Commissioner	1	1	...	...	...	...	1	...
	Deputy Commissioner, Ye-u... ...	1	1	...	...	..	...	1	..
	Deputy Commissioner, Sagaing ...	18	14	1	...	3	...	18	.
	Deputy Commissioner, Lower Chindwin	3	1	..	...	1	...	2	1
	Total ...	23	17	1	...	4	...	22	1
Southern.	Commissioner	1	1	...	...	...	...	1	...
	Deputy Commissioner, Myingyan ...	42	26	1	1	7	...	35	7
	Deputy Commissioner, Pakôkku ...	6	2	...	...	2	1	5	1
	Deputy Commissioner, Minbu ...	15	12	1	...	2	..	15	...
	Deputy Commissioner, Magwe ...	13	9	1	...	3	...	13	...
	Subdivisional Officer, Myingyan ...	1	1	...	...	...	...	1	...
	Subdivisional Officer, Pagan, Myingyan	1	1		. .	..	...	1	...
	Subdivisional Officer, Ye n a n g y a ung, Magwe.	1	1	. .	...	...	...	1	..
	Myoôk, Sathwa, Magwe	1	...	.	...	...	1	1	..
	Total ...	81	58	3	1	14	2	78	3
Eastern.	Commissioner	2	2	..	...	...	...	2	...
	Deputy Commissioner, Kyaukse ...	11	6	...	1	1	..	8	3
	Deputy Commissioner, Meiktila ...	8	6	...	..	2	...	8	...
	Deputy Commissioner, Yamèthin ...	27	23	...	2	...	...	25	2
	Deputy Commissioner, Pyinmana .	7	5	1	...	1	...	7	.
	Assistant Commissioner, Yamèthin ...	1	..	...	...	...	1	1	...
	Total ...	56	42	1	3	4	1	51	5
	Grand Total ...	*209	155	7	4	25	3	194	15
	In 1890 ...	131	92	5	3	16	1	117	14

* Includes number pending from previous year.

The figures of the previous year include applications for revision made to Commissioners of Divisions in their capacity of Judicial Commissioner.

The number of applications has risen from 131 to 209. Very free use is made by suitors of the privilege of applying for revision, the cost of Court-fees in such cases being nominal. The decisions of the Lower Courts were as little interfered with as possible, 155 applications out of 194 disposed of being rejected or dismissed.

The power of revision conferred by the Regulation is useful on occasion, but it would probably now be preferable to replace it for the most part by extending the right of appeal and second appeal. It is anomalous that the power of revision should be exercised in so many grades of Courts.

III.—MISCELLANEOUS.

18. The following table shows the financial results of the rules framed under section 20 of the Court Fees Act regulating the fees chargeable for serving processes and remuneration of peons of the Civil Courts :—

Division.	Name of district.	Number of processes issued.	Receipts from process-fees.			Charges including salaries of process-servers, contingencies, &c.		
			Rs.	A.	P.	Rs.	A.	P.
NORTHERN ...	Mandalay	511	476	8	0	1,640	0	0
	Bhamo	278	188	0	0	8,766	9	4
	Katha	428	248	0	0	1,490	12	0
	Ruby Mines	306	219	0	0	2,129	8	4
	Shwebo	608	461	0	0	1,383	8	0
	Civil Court, Mandalay	3,212	2,505	12	0	1,799	1	0
	Total ...	5,343	4,098	4	0	12,209	6	8
CENTRAL ...	Ye-u	809	200	8	0	1,152	0	0
	Sagaing	1,746	1,180	0	0	529	0	0
	Lower Chindwin	921	727	10	0	1,228	0	0
	Upper Chindwin	884	241	0	0	1,278	1	0
	Total ..	3,360	2,099	2	0	4,187	1	0
SOUTHERN ...	Myingyan	2,868	2,254	0	0	1,463	0	0
	Pakôkku	2,088	1,261	0	0	1,719	0	8
	Minbu	2,184	1,485	8	0	2,013	10	7
	Magwe	2,288	1,873	0	0	1,142	0	0
	Total ...	9,328	6,873	8	0	6,367	11	8
EASTERN ...	Kyaukse	659	488	12	0	1,465	0	0
	Meiktila	1,504	1,272	6	0	420	0	0
	Yamèthin	2,517	1,622	8	0	1,060	0	0
	Pyinmana	1,473	1,106	0	0	884	0	0
	Total ...	6,153	4,489	10	0	3,829	0	0
	GRAND TOTAL ...	24,184	17,255	8	0	26,093	2	11
	In 1890 .	22,548	16,241	3	0	25,071	13	8

The figures showing the receipts and charges on account of process-serving are probably better than they were before, but their accuracy cannot be relied on as yet. A loss is incurred everywhere, except in the Civil Court, Mandalay, Sagaing, Myingyan, Magwe, Meiktila, Yamèthin, and Pyinmana.

The statistics as they stand give some curious results. Thus, the average fee realized on each process served is in Mandalay district about 15 annas, in Meiktila about 13½ annas, in Sagaing a little over 10 annas, and in Katha a little over 9 annas.

On the other hand, the cost of serving a process ranges from about 8 annas in Myingyan to Rs. 3-3-0 in Mandalay, and Rs. 13-9-0 in Bhamo Such anomalies call for the enquiry that is now being made.

Where the work is light, processes can be served by the Court peons, but this is, of course, impossible where cases are numerous. Some of the Courts are now much in want of a process-serving establishment, though in some instances the staff already provided is unnecessarily large. At Ye-u headquarters, for instance, the bailiff and peons cost Rs. 1,152 per annum, and the total receipts are Rs. 200-8-0. It will, no doubt, be advisable to organize a process-serving establishment for the Judicial and Revenue Departments together, and a scheme will be drawn up for the purpose for the approval of the local Government. A certain amount of information has already been collected in the matter.

19. The cost of litigation in the two years, 1890—1891 compares as below :

Percentage of costs to value of—

	Original suits	Appeals.
1890	11 52	6 98
1891	11 25	10 68

In the previous year the highest average cost was in the Pakôkku Courts, 22·57, and the Bhamo Courts 16·02, in original suits; and in the Ye-u District Court 23·45, and the Pakôkku District Court, 19·56, in appeals. Last year the cost of original suits was largest in the Courts of Lower Chindwin 14 23, Minbu 14·91, Sagaing 13·87, and in Mandalay, Bhamo, Magwe, and Yamèthin 12·55, 12·4, 12·42, and 12·45 respectively; and of appeals in Sagaing and Yamèthin 14·17 and 14·36 respectively.

20. The cost of the Civil Courts of the province is calculated at Rs. 4,19,794-13-10, it being usual for the sake of uniformity to take a third of the pay of officers and establishments on account of Civil judicial work. This calculation is correct, however, in a comparatively small number of cases only, and it is not possible to estimate accurately the actual expenditure which should be charged to Civil Justice. The receipts being Rs. 1,24,906-6-3 the nominal loss is Rs. 2,04,888-6-7.

The Civil Court, Mandalay, more than pays for itself. The Court-fees realized in 1890 and 1891 were Rs. 32,210 and Rs. 23,893 respectively, a total of Rs. 56,103, while the annual cost of the Court, including the pay of the Judge and establishment, was Rs. 15,965 ; thus leaving a surplus of Rs. 7,928 last year.

One Judge can continue to do the work if he receives some relief in routine matters by the strengthening of his establishment.

21. The work of inspection received a good deal of attention during the past year from Commissioners, Deputy Commissioners, and Subdivisional Officers, and much improvement may be expected from the instruction conveyed in this way. Usually the registers are fairly well kept, but there is a lack of orderly and methodical arrangement in the general business of many of the Courts. A great deal, of course, depends on the individual presiding officer.

The Courts best spoken of seem to be the Subdivisional Court of Taungdwingyi and the Township Courts of Myinmu, Sadaung, Pindalè, Lamaing, and Tilin.

Among the worst Courts appear the Subdivisional Court of Ava, before the present Subdivisional Officer took charge, and the Township Courts of Ava, Thazi, and Ngapè.

Several Courts badly reported on at the beginning of the year have received a good character before its close.

In the Court of the Deputy Commissioner, Yamèthin, defalcations on the part of the bailiff were discovered.

The Judicial Commissioner inspected the Courts at Kindat and other district headquarters during the year, and those of Ye-u have been inspected since its close. The only District Courts not yet visited are those of the Ruby Mines and Lower Chindwin.

Record-room.—Record-rooms have been brought into much better order than they were in before, but a good deal still remains to be done.

The forwarding of records to district headquarters is still irregular. Many Courts are in a hurry to send them off without keeping them for the prescribed time.

22. The working of the Courts is gradually improving. The Commissioner, Central Division, observes: "The work of the Myoôks is, I think, steadily "improving in quality, and their procedure and method of keeping their registers "is much better than in former years."

The Deputy Commissioner, Meiktila, says: "On the whole cases have been "heard with greater care and with greater regard to the laws of evidence and pro- "cedure than in former years."

The Commissioner, Southern Division, writes: "The general condition of "the Township Courts and the Township Officers' way of keeping their registers "is improving."

The Deputy Commissioner, Magwe's opinion is that "the Courts are all "in very fair order and, though the work is of course much lighter, the state of "the registers, I believe, would compare favourably with most Lower Burma "Courts. The Myoôks are most attentive to suggestions made, and act on them."

The Deputy Commissioner, Yamèthin, says of the Township Courts that "though they give on the whole just decisions (they) have much to learn in the "way of procedure and of a clear and orderly treatment of their cases."

The Deputy Commissioner, Lower Chindwin, explains that the reversal of the decrees of the subordinate Courts "is more due to want of knowledge of "law than want of care in enquiring into cases."

The Deputy Commissioner, Mandalay, says: "The Township Courts do "substantial justice and the people have confidence in them."

Generally, the decisions of the subordinate Courts are more correct than the reasons assigned for them, but the Judges are steadily acquiring a better knowledge of the law and of their duties.

There is considerable difference in the *personnel* of the Judges between district and district In some they are mostly Upper Burmans, while in others the Courts have somewhat of a foreign air from both Myoôks and clerks being Lower Burmans.

It will take some time to train sufficient Upper Burmans as clerks.

The want of good clerks is greatly felt. In Meiktila whole establishments have been changed, and the clerks are reported to work very perfunctorily and to require to be driven from time to time.

In Katha, says the Deputy Commissioner, "clerks obtainable in this sickly "district, with but a few exceptions, are inferior."

In the Ruby Mines the office establishments are said to be inadequate, and as the clerks are constantly falling sick the judicial work has frequently to be done by the bailiff and the surveyor.

23. There is a better provision of Court-houses than there used to be, but more require to be built.

The Township Court, Myotha, is an ordinary mat Burmese house.

At Ayadaw the Court is held in a shed built by the villagers. Court-houses are said to be urgently wanted for Palè, Budalin, Kani, Kudaw, and Eastern and Western Pagyi in the same district.

The Court of the Subdivisional Officer, Meiktila, requires enlargement. Myitkyina has no Court-house at all.

The Twinngè Court-house is in a state of extreme decrepitude, the powder falling from the roof burying everything.

The Court-house at the district headquarters at Mogôk is for acoustic purposes practically one room, and when witnesses are being examined in the several Courts at the same time it is difficult to know which deposition to record.

24. It 1891 rules were made for the admission of Advocates to practise in Upper Burma under the Civil Justice Regulation as amended by Regulation I of 1891.

An examination of candidates was held in June and the numbers found qualified for admission were—

First grade	1
Second grade	9
Third grade	64

Besides these, there were enrolled 11 Advocates of the 1st and seven Advocates of the 2nd grade ordinarily practising in Lower Burma, and certificates were granted to seven Advocates of the 1st grade, 16 Advocates of the 2nd grade, and 27 Advocates of the 3rd grade, who had been practising in Upper Burma under provisional rules.

The total number of Advocates now on the rolls is thus—

First grade	16
Second grade	26
Third grade	91

25. The procedure of the Civil Courts outside Mandalay is governed by the Civil Justice Regulation.

In practice, however, the provisions of the Code of Civil Procedure are constantly referred to and followed. In fact there is reason to believe that some of the Township Courts were formerly supplied only with the Code and not with the Regulation for their guidance. The provisions of the Regulation are not sufficient for all purposes. For instance, no procedure is laid down with respect to applications for the removal of attachment, which are nevertheless entertained by the Courts. Again, reference to arbitration is not mentioned in the Regulation, though it is a practice freely resorted to by the Burmese Courts as if the provisions of the Code of Civil Procedure were in force. Under these circumstances, and considering the advance which has been made in the education of Judicial Officers, the time would appear to have come for extending the Code of Civil Procedure to Upper Burma generally. This matter is now receiving attention.

G. D. BURGESS,

Judicial Commissioner, Upper Burma.

LOWER BURMA APPENDICES.

JUDICIAL STATEMENT No. 1 (CIVIL).

Showing the number of Judicial divisions and the number of Officers exercising Appellate or Original Jurisdiction in Lower Burma on the last day of the year 1891 with the cost of tribunals.

Name of province.		Area.	Population.	Number of divisions for Courts under Chief Court but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	TOTAL NUMBER OF OFFICERS EXERCISING ORIGINAL OR APPELLATE JURISDICTION.					TOTAL NUMBER OF CASES DECIDED.				Total receipts of the Courts.	Total charges of the Courts.	Remarks.
							Judges of Chief Court of province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of Districts.	Judges of districts other than Chief Courts.	Judges of other subordinate Courts.	Original.		Appeal.				
												Regular.	Miscellaneous.	Regular.	Miscellaneous.			
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
																Rs. A. P.	Rs. A. P.	
LOWER BURMA.																		
Territory subject to the High Court.	Civil ...	86,942	4,644,001	4	18	31	2	4	18	...	128	36,234	6,234	1,411	64	3,52,616 0 10	6,23,020 12 11	
	Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	
	Revenue ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	
Territory not subject to the High Court.	Civil ...	1,015	14,626	...	1	...	...	...	1	...	...	95	...	...	...	.....	217 12 0	
	Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	
	Revenue ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	.....	.....	
	Total ...	87,957	4,658,627	4	19	31	2	4	19	...	128	36,329	6,234	1,411	64	3,52,616 0 10	6,23,238 8 11	

	Grades of Judicial Officers.	European.	Native.
Officers exercising both original and appellate jurisdiction.	Judicial Commissioner ...	1	...
	Recorder of Rangoon ...	1	...
	Commissioners	4	...
	Deputy Commissioners ...	1	...
	Assistant Commissioners with appellate powers (section 20, Act XI of 1889).	1	...
Officers exercising original jurisdiction only.	Small Cause Court Judges ...	4	3
	Assistant Commissioners ...	6	1
	Extra Assistant Commissioners	4	10
	Myoôks	2	96
	Unpaid Judges	...	

JUDICIAL STATEMENT NO. 7 (CIVIL).

Showing the number and description of suits instituted in the Civil and Revenue Courts in the Province of Lower Burma for the year 1891.

Class of tribunal.	SUITS FOR MONEY OR MOVEABLE PROPERTY.										SUITS UNDER THE RENT LAW.								TITLE AND OTHER SUITS.														
	Contract in writing.	Contract not in writing.	On account stated	Money had and received.	Goods sold.	Wages, work, and materials	Breach of contract not mentioned above.	Rent not falling under the rent law	Moveable property or value thereof	Damages.	Arrears of rent with or without ejectment or cancellment of lease	Enhancement or abatement of rent	Relating to distraint	Damages for extortion or withholding receipts, or on account of illegal restraint or other cause.	For pottas or kabulyats	For ejectment or recovery of possession	For recovery of money or accounts from agents	All other suits under the rent law not included above	Suits for immoveable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c	Suits to declare and establish personal rights	Suits for an account.	Suits relating to religious endowments	Suits to set aside judgments, contracts, or obligations on the ground of fraud	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights	Suits for partition.	Suits relating to shipping	Suits relating to religion and caste.	Administration suits	Interpleader suits.	Dissolution of partnership.	Suits under section 261, Act X of 1865 (also Hindu Wills Act)	Other suits not falling under any of the previous heads	Grand total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
COURTS IN THE INTERIOR.																																					
I—Civil Courts																																					
Unpaid tribunals	18	27	...	1,060	104	43	...	...	34	24	...	...	...	...	...	...	...	...	9	...	...	...	...	...	...	5	...	...	...	...	...	...	...	...	287
Village Courts ...	4,954	5,193	126	89	3,264	1,336	...	614	2,257	2,376	...	...	...	...	...	...	...	...	1,262	26	40	53	22	4	...	37	363	129	33	...	5	4	1	...	152	33,351
Paid Subdivisional Tribunals ...	528	268	9	364	73	...	...	131	156	152	...	...	...	...	...	...	...	...	121	3	1	19	3	3	...	4	51	9	14	...	1	1	...	...	20	1,961
Small Cause Courts	1,632	662	63	221	993	350	...	223	251	107	...	...	...	...	...	...	...	...	11	...	...	...	...	...	...	...	...	...	1	...	1	1	...	...	2	4,568
District Courts other than Chief Courts of districts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Courts of districts	97	11	1	56	14	5	...	1	21	29	...	...	...	...	...	...	...	...	40	1	1	85	7	5	1	...	1	8	1	...	10	23	...	4	1	23	445
Total ...	7,229	6,101	199	1,436	4,739	1,806	...	1,039	2,721	2,688	...	...	...	...	...	...	...	...	1,436	30	42	157	32	12	1	41	410	146	99	...	10	30	4	7	1	196	30,602
II—Revenue Courts																																					
Unpaid local tribunals ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other Subordinate Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Collectors' Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Courts at the Presidency or Seat of Government																																					
Small Cause Court, Rangoon ...	2,274	467	67	218	824	489	...	944	97	15	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	5,395
Superior Court (Recorder's) ...	16	3	...	...	1	...	...	1	4	27	...	...	...	...	...	...	...	...	3	6	2	33	5	6	...	2	19	6	2	...	...	22	1	4	...	54	217
Total ...	2,290	470	67	218	825	489	...	945	101	42	...	...	...	...	...	...	...	...	3	6	2	33	5	6	...	2	19	6	2	...	...	22	1	4	...	54	5,612
GRAND TOTAL ...	9,519	6,571	266	1,654	5,564	2,295	...	1,984	2,822	2,730	...	...	...	...	...	...	...	...	1,439	36	44	190	37	18	1	43	429	152	101	..	10	52	5	11	1	250	36,214

JUDICIAL STATEMENT No. 8 (CIVIL).

Showing the number and value of suits instituted in the Civil and Revenue Courts in the Province of Lower Burma for the year 1891.

Class of tribunal	Number of suits instituted in the different Courts.									Total value of suits.	Remarks.
	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Not exceeding Rs. 1,000.	Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
										Rs. A. P.	
COURTS IN THE INTERIOR.											
I.—Civil Courts.											
Unpaid tribunals	89	103	37	23	...	...	...	...	5	10,446 8 6	
Village Courts	3,194	9,903	5,140	4,383	84	31	...	...	616	16,93,179 8 8	
Paid subdivisional tribunals	212	642	341	377	212	101	...	...	76	4,31,586 1 0	
Small Cause Courts	927	2,511	570	535	45	...	...	...	...	2,69,499 8 3	
District Courts other than Chief Courts of districts	...	...	...	...	...	...	...	...	...	.....	
Chief Courts of districts	10	44	40	88	114	115	12	8	14	24,21,745 13 7	
Total	4,432	13,203	6,128	5,406	455	247	12	8	711	48,26,457 8 0	
II.—Revenue Courts.											
Unpaid local tribunals	...	...	...	...	...	...	...	...	...	.....	
Other subordinate Courts	...	...	...	...	...	...	...	...	...	.....	
Collectors' Courts	...	...	...	...	...	...	...	...	...	.....	
Total	...	...	...	...	...	...	...	...	...	.....	
Courts at the Presidency or seat of Government.											
Small Cause Courts, Rangoon	586	2,482	939	1,160	148	89	...	...	...	6,15,335 6 0	
Superior Court (Recorder's)	1	5	5	35	13	61	18	9	71	7,23,805 9 4	
Total	587	2,487	944	1,195	161	141	18	9	71	13,39,140 15 4	
GRAND TOTAL	5,019	15,690	7,072	6,601	616	388	30	17	782	61,65,598 7 4	

JUDICIAL STATEMENT NO. 9 (CIVIL).

Showing the general result of the trial of Civil and Revenue cases in the Courts of Original Jurisdiction in Lower Burma for the year 1891.

PART I.—Civil Suits.

Class of tribunal.	Total number of suits before the Courts.	NUMBER OF SUITS DISPOSED OF										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	AVERAGE DURATION OF CASES		Remarks.
		Transferred to Courts in other provinces.	Without trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST.				Contested.	Uncontested.	
				Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
COURTS IN THE INTERIOR.														Days.	Days.	
I.—Civil Courts.																
Unpaid tribunals	266	...	56	15	71	31	...	...	...	68	21	4	...	4	3	
Village Courts	24,198*	...	6,225	1,188	3,318	3,336	402	142	39	5,993	2,753	720	34	22	15	
Paid subdivisional tribunals	2,061	...	407	121	294	204	32	33	12	609	253	96	5	25	17	
Small Cause Courts	4,721	...	1,161	209	446	1,110	21	6	5	1,277	383	103	21	16	17	
District Courts other than Chief Courts of districts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of districts	487	...	43	27	64	68	2	31	9	143	74	36	10	47	38	
Total	31,733*	...	7,892	1,560	4,193	4,739	457	212	65	8,090	3,484	959	70	22	15	
II.—Revenue Courts.																
Unpaid local tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other Subordinate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or seat of Government.																
Small Cause Courts, Rangoon	5,827	...	832	349	711	2,213	39	...	...	878	434	371	114	24·75	30·51	
Superior Court (Recorder's)	272	...	22	15	13	34	1	...	...	70	26	91	7	134·48	58·44	
Total	6,099	...	854	364	724	2,247	40	...	...	948	460	462	121	32·24	31·71	
GRAND TOTAL	37,832	...	8,746	1,924	4,917	6,986	497	212	65	9,038	3,944	1,421	191	23	18	

* Results of 82 cases cannot be shown, the records having been destroyed in a fire.

JUDICIAL STATEMENT No. 9 (CIVIL).

Showing the general result of the trial of Civil and Revenue cases in the Courts of Original Jurisdiction in Lower Burma for the year 1891.

PART II.—Miscellaneous Cases (Judicial).

Class of tribunal.	Total number of cases before the Courts.	NUMBER OF SUITS DISPOSED OF										Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of cases contested and uncontested.	Remarks.
		Transferred to Courts in other provinces.	Without trial.	WITHOUT CONTEST.				ON REFERENCE TO ARBITRATION.		WITH CONTEST.					
				Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
COURTS IN THE INTERIOR.															
I.—Civil Courts.														Days.	
Unpaid tribunals	7	...	2	2	...	1	...	...	...	2	...	...	...	3	
Village Courts	2,999*	...	696	179	76	223	68	1	3	1,075	584	90	2	22	* Results of four cases cannot be shown, the records having been destroyed in a fire.
Paid subdivisional tribunals	469	...	86	41	3	31	15	1	2	140	113	37	1	15	
Small Cause Courts	197	...	99	1	2	28	...	...	...	38	27	2	...	5	
Superior Courts other than Chief Courts of districts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of districts	648	...	162	6	20	137	19	1	...	181	91	31	1	19	
Total ...	4,320	...	1,045	229	101	420	102	3	5	1,436	815	160	4	15	
II.—Revenue Courts.															
Unpaid local tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other subordinate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collectors' Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or seat of Government.															
Small Cause Courts, Rangoon	1,762	...	1,379	5	2	46	9	...	...	226	57	38	...	14·03	
Superior Court (Recorder's)	367	...	62	3	4	151	9	...	...	73	52	13	1	16·96	
Total ...	2,129	...	1,441	8	6	197	18	...	...	299	109	51	1	14·53	
GRAND TOTAL ...	6,449	...	2,486	237	107	617	120	3	5	1,735	924	211	5	15	

JUDICIAL STATEMENT NO. 10 (CIVIL).

Showing the business of the Civil and Revenue Appellate Courts in Lower Burma for the year 1891.

PART I.—Appeals from Decrees.

Class of tribunal.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex-parte.				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
COURTS IN THE INTERIOR.																	
APPEALS FROM ORIGINAL DECREES.																	
															Days.		
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of districts	14	...	...	...	...	...	...	...	9	4	1	...	...	...	26	...	
Chief Appellate Courts of districts	1,347	...	4	11	64	2	15	3	766	93	245	30	114	1	27	...	
Superior Appellate Courts other than Chief Court of province ...	36	...	...	...	...	...	...	...	21	3	7	...	5	1	51	...	
Total ...	1,397	...	4	11	64	2	15	3	796	100	253	30	119	2	28	...	
B.—Revenue Courts.																	
Collectors' Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or seat of Government.																	
Chief Court of province — Appeals from original decrees	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Court of province — Appeals from appellate decrees	177	...	4	...	9	...	1	...	77	6	34	2	44	3	47	...	
Chief Court of province — Civil revisions	60	...	9	2	28	...	11	1	3	...	3	1	2	...	20	...	
Total ...	237	...	13	2	37	...	12	1	80	6	37	3	46	...	39	...	
GRAND TOTAL ...	1,634	...	17	13	101	2	27	4	876	106	290	33	165	5	29	...	

JUDICIAL STATEMENT NO. 10 (CIVIL).

Showing the business of the Civil and Revenue Appellate Courts in Lower Burma for the year 1891.

PART II.—Miscellaneous Appeals (Judicial).

Class of tribunal.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	Heard ex-parte.				Contested.				Pending.	Of those pending more than three months.	Average duration of appeals.	Objections under section 561, Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
															Days.		
COURTS IN THE INTERIOR.																	
APPEALS FROM ORIGINAL DECREES.																	
A.—Civil Courts.																	
Chief Appellate Courts other than Chief Courts of districts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Appellate Courts of districts	59	...	...	8	9	...	2	2	15	3	13	2	5	...	5	...	
Superior Appellate Courts other than Chief Courts of province ...	5	...	...	...	...	...	1	...	3	...	...	...	1	...	12	...	
Total ...	64	...	...	8	9	...	3	2	18	3	13	2	6	...	5	...	
B.—Revenue Courts.																	
Collectors' Appellate Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or seat of Government.																	
Chief Court of province { Appeals from original decrees	4	...	...	...	2	...	...	...	1	...	...	...	1	...	39	...	
Chief Court of province { Appeals from appellate decrees	4	...	...	...	...	...	...	...	1	2	...	...	1	...	87	...	
Total ...	8	...	...	...	2	...	...	...	2	2	...	...	2	...	63	...	
GRAND TOTAL ...	72	...	...	8	11	...	3	2	20	5	13	2	8	...	10	...	

JUDICIAL STATEMENT NO. 11 (CIVIL).

Showing the result of proceedings on applications for the execution of the decrees of the Civil and Revenue Courts in Lower Burma for the year 1891.

Class of tribunal.	Total number of applications for the execution of decrees before the Courts.	APPLICATIONS DISPOSED OF				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	AMOUNT REALIZED		NUMBER OF APPLICATIONS												Remarks.
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of process.	Without the issue of process.	On which the judgment-debtor was imprisoned.	On which the judgment-debtor was arrested, but released without imprisonment.	On which moveable property		On which immoveable property			On which possession was given		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than in the preceding columns.	
												Was sold.	Was attached, but subsequently released.	Was sold.	Was dealt with under sections 305, 322, or 320, Act XIV of 1882.	Was attached, but subsequently released under section 275.	Of moveables.	Of immoveables.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
COURTS IN THE INTERIOR.																						
I.—Civil Courts.								Rs. A. P.	Rs. A. P.													
Unpaid Tribunals	52	...	5	...	44	3	...	287 2 0	...	...	...	4	...	1	...	...	...	...	...	...	...	
Village Courts	6,397*	149	2,166	1,124	2,639	450	17	2,32,952 10 10	9,947 10 6	63	336	556	949	574	106	570	12	55	3	2	68	
Paid subdivisional tribunals ...	775	11	237	153	322	53	4	67,503 14 8	229 5 6	7	33	84	118	72	14	41	9	5	2	1	15	
Small Cause Courts	1,510	125	276	268	914	52	2	16,070 12 10	4,787 3 6	37	143	66	81	25	3	16	...	...	...	...	173	
District Courts other than Chief Courts of districts.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Courts of districts	202	7	76	83	110	23	1	78,814 13 0	4,354 6 9	7	11	27	26	38	...	32	2	2	...	...	16	
Superior Courts...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	9,026	292	2,760	1,638	4,029	581	24	3,95,689 5 4	19,318 9 9	114	522	737	1,174	710	123	659	23	62	5	3	272	
II.—Revenue Courts.																						
Unpaid local tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Other subordinate Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Collector's Courts	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Courts at the Presidency or seat of Government.																						
Small Cause Courts (Rangoon) ...	2,400	265	812	317	1,144	127	19	60,012 3 7	8,792 1 0	48	64	88	123	...	...	...	...	...	...	...	806	
Superior Court (Recorder's) ...	171	7	62	34	66	9	1	99,754 9 10	549 8 0	1	5	5	8	24	1	18	...	14	...	...	19	
Total ...	2,571	272	874	351	1,210	136	20	1,59,766 13 5	9,341 9 0	49	69	93	131	24	1	18	...	14	...	...	825	
GRAND TOTAL ...	11,597	564	3,634	1,987	5,239	717	44	5,55,456 2 9	28,660 2 9	163	592	830	1,305	734	124	677	23	76	5	3	1,097	

* Results of 18 cases cannot be shown the records having been destroyed in a fire.

JUDICIAL STATEMENT NO. 13 (CIVIL).

Showing use of Jurors and Assessors in the Civil and Criminal Courts in Lower Burma for the year 1891.

Classes of Courts in which jurors or assessors are employed, distinguishing Criminal from Civil Courts.	Established or average number of jurors or assessors in each case, and prescribed qualifications.	Number of cases tried by jurors.	Number of cases tried with assessors.	Cases in which the judge approved of the verdict.	JURY TRIALS.				ASSESSORS' TRIALS.			Remarks.
					Cases in which the Judge did not approve of the verdict.		*Number of persons of the verdict, in respect to whom the Judge disapproved.*		Number of cases in which Judge agreed with assessors.	*Number of cases in which Judge differed from*		
					Wholly.	Partially.	Whose cases he referred under section 307, C. P. Code.	Whose cases he did not refer under section 307, C. P. Code.		One assessor.	Both assessors.	
1	2	3	4	5	6	7	8	9	10	11	12	13
I.—Civil Courts.												
Chief Courts of Districts (or officer specially empowered) acting under Act X of 1870. — Assessors ...	2	...	4	...	...	...	...	...	1	3	...	
II.—Criminal Courts.												
Magistrates' Courts under Chapter X, C. P. Code ... Jurors	...	...	...	...	...	...	...	...	...	...	...	
Courts of Session ... ... — Jurors	...	...	...	...	...	...	...	...	...	...	...	
Courts of Session ... ... — Assessors ...	...	...	...	...	...	...	...	—	...	...	...	
High Court, Original Criminal Jurisdiction ... Jurors	...	...	...	...	...	...	...	...	...	...	...	
Total ...	2	...	4	...	...	...	...	...	1	3	...	

Statement showing the total value in litigation and costs for all classes of Civil cases, including executions of decrees and other miscellaneous applications, disposed of in the different classes of Courts in Lower Burma for the year 1891.

Name of district or Court.	Original.								Percentage of total costs to total value.	Appeals.		
			Costs of cases.									Costs of cases.
	Total number of cases.	Total value of cases.	Total amount of court-fees, including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total.		Total number of cases.	Total value of cases.	Total amount of court-fees, including process-fees.
	2	3	4	5	6	7	8	9	10	11	12	13
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.
Arakan division—												
Akyab	1,728	2,04,504 0 1	22,839 3 0	3,974 10 0	1,330 0 0	9,525 13 9	473 10 0	34,168 10 9	16·71	44	13,116 2 3	875 8 2
Kyaukpyu	661	25,944 10 7	3,594 4 0	1,134 4 0	1,385 4 0	780 8 0	14 4 0	5,574 4 0	22·08	62	3,702 11 3	459 14 0
Sandoway	341	10,708 3 2	1,525 12 0	450 4 0	518 6 0	734 0 10	36 0 0	2,814 2 10	26·28	15	400 9 7	93 8 0
Northern Arakan	95	7,140 7 3	.....	.....	.....	.....	.....	.....	...	...	.....	.....
Commissioner of Arakan	.....	.....	.....	.....	.....	.....	.....	.....	...	2	3,218 0 0	217 0 0
Total ...	2,825	2,47,597 5 1	27,759 3 0	4,859 2 0	3,233 10 0	11,040 6 7	523 14 0	42,557 1 7	17·19	123	20,487 7 1	1,045 14 2
Pegu division—												
Hanthawaddy	1,606	2,15,917 14 7	15,714 1 0	2,262 0 0	1,668 14 6	5,714 12 6	45 8 0	23,143 4 6	10·72	55	16,690 4 8	1,077 12 6
Pegu	2,473	3,71,450 10 0	30,131 15 6	4,653 4 0	2,551 4 6	8,410 5 11	.....	41,093 9 11	11·06	89	22,937 6 3	1,882 10 1
Tharrawaddy	2,154	1,28,857 4 4	14,546 0 0	3,817 2 0	2,142 11 6	8,236 2 4	63 0 0	24,987 13 10	19·39	62	2,458 3 5	896 10 0
Prome	2,058	1,37,694 5 10	12,878 13 0	3,531 11 0	2,200 11 0	2,926 3 2	777 0 0	18,782 11 2	13·64	84	8,239 5 8	1,139 12 0
Commissioner of Pegu	.....	.....	.....	.....	.....	.....	.....	.....	...	19	18,998 1 6	1,104 14 0
Total ...	8,291	8,53,920 2 9	73,270 13 6	14,264 1 0	8,563 9 6	25,287 7 11	885 8 0	1,08,007 6 11	12·65	309	1,76,604 5 6	6,021 10 1
Irrawaddy division												
Henzada	2,604	1,69,405 13 0	18,816 2 0	4,875 8 0	2,959 11 0	9,882 2 5	334 1 9	31,992 1 2	18·88	195	21,579 14 1	2,177 5 0
Bassein	3,043	2,72,213 2 9	25,805 12 0	4,988 0 0	3,363 10 0	14,201 10 2	412 4 8	43,783 4 10	16·08	170	1,22,184 3 7	3,158 9 0
Thôngwa	4,525	3,99,844 8 4	36,124 2 0	7,338 5 0	3,080 12 0	11,241 10 11	1,220 6 0	61,745 14 11	12·94	129	28,259 13 2	2,440 1 0
Thayetmyo	1,449	81,632 5 11	8,865 11 0	2,165 5 0	1,441 12 6	2,554 15 5	491 3 0	15,333 9 11	1·63	93	10,598 6 7	943 2 0
Commissioner of Irrawaddy	.....	.....	.....	.....	.....	.....	.....	.....	...	9	9,143 6 5	661 12 0
Total ...	11,621	9,23,095 14 0	89,611 11 0	19,367 2 0	10,845 13 6	37,860 6 11	2,536 15 5	1,40,854 14 10	15·26	596	1,91,735 11 8	9,380 13 0
Tenasserim division—												
Amherst	2,056	1,83,929 0 8	17,151 2 9	3,404 8 0	1,788 6 0	3,241 9 4	28 8 0	22,309 10 1	12·08	87	12,748 13 4	865 12 0
Shwegyin	1,700	1,46,429 15 4	13,081 1 0	3,478 10 0	2,735 2 11	5,790 9 11	83 12 5	21,690 10 3	14·81	89	16,238 15 10	1,222 14 0
Toungoo	856	84,912 4 2	8,285 0 0	1,382 6 0	1,239 14 2	5,127 3 4	700 14 1	15,352 15 7	18·08	35	7,286 2 4	697 8 0
Tavoy	573	31,966 11 9	3,780 9 0	1,110 4 0	836 10 0	811 3 7	111 9 6	5,540 6 1	17·36	47	3,903 12 5	426 10 0
Mergui	522	31,845 11 7	3,480 11 7	841 4 0	526 4 0	2,997 8 0	27 8 0	7,031 15 7	22·08	41	3,649 0 0	299 1 0
Salween	71	10,396 11 2	833 9 0	137 12 0	70 0 0	.....	.....	903 9 0	8·69	3	708 0 0	60 13 0
Judge of Moulmein	2,117	23,87,387 11 0	34,627 9 0	2,711 14 0	1,788 2 0	25,463 11 0	1,778 6 0	63,637 12 0	2·67	...	.....	.....
Commissioner of Tenasserim	.....	.....	.....	.....	.....	.....	.....	.....	...	6	11,010 0 8	355 11 0
Total ...	7,955	28,76,758 1 8	81,239 10 4	13,006 10 0	8,984 7 1	43,431 13 2	2,730 10 0	1,36,386 8 7	4·74	308	55,544 12 7	3,928 5 0
	.....	.....	.....	.....	.....	.....	.....	.....	8·71	129	4,20,913 3 6	3,653 8 0
Judicial Commissioner	.....	.....	.....	.....	.....	.....	.....	.....				
Grand Total ...	30,692	49,01,371 7 6	2,71,881 5 10	51,556 15 0	31,627 8 1	1,17,020 2 7	6,676 15 5	4,27,805 15 11	8·71	1,465	7,65,235 7 10	24,630 2 3
Rangoon Small Cause Courts	5,456	6,44,119 0 8	56,301 14 0	5,097 6 0	4,412 9 0	12,228 2 0	3,488 2 0	76,430 11 0	11·87	...	.....	.....
Recorder's Court	181	4,29,998 11 6	21,946 13 0	1,596 4 0	1,668 2 0	32,210 14 0	2,592 14 0	58,418 11 0	13·59	...	.....	.....
Special Court	.....	.....	.....	.....	.....	.....	.....	.....	...	10	54,720 0 0	1,511 4 0
Total ...	5,637	10,74,117 12 2	78,248 11 0	6,693 10 0	6,080 11 0	44,439 0 0	6,081 0 0	1,34,849 6 0	12·55	10	54,720 0 0	1,511 4 0
Grand Total ...	36,329	59,75,489 3 8	3,50,130 0 10	58,250 9 0	37,708 3 1	1,62,059 2 7	12,757 15 5	5,62,655 5 11	9·40	1,475	8,19,955 7 10	26,141 6 3

Statement showing the total value in litigation and costs for all classes of Civil cases, including executions of decrees and other miscellaneous applications, disposed of in the different classes of Courts in Lower Burma for the year 1891—continued.

Name of district or Court.	Appeals—concluded.						Execution of decrees.					
	Costs of cases—concluded.								Cost of cases.			
	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total.	Percentage of total costs to total value.	Total number of cases.	Total value of cases.	Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.
1	14	15	16	17	18	19	20	21	22	23	24	25
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Arakan division—												
Akyab	86 0 0	.....	267 6 6	167 14 0	1,310 12 8	10·00	577	84,468 2 10	1,424 4 0	1,050 4 0	.....	.....
Kyaukpyn	124 0 0	.....	460 11 0	.....	920 9 9	24·87	134	8,576 15 9	320 12 0	245 8 0	17 6 0	.....
Sandoway	32 0 0	4 2 0	140 0 0	42 0 4	279 10 4	69·83	47	3,186 3 0	168 13 6	138 2 0	.....	.....
Northern Arakan	.....	.....	.....	.....	.....	...	2	37 0 0	.....	.....	.....	.....
Commissioner of Arakan	10 0 0	.....	321 0 0	.....	538 0 0	16·72	...	.....	.....	.....	.....	.....
Total ...	252 0 0	4 2 0	1,189 1 6	209 14 4	3,049 0 0	14·92	760	96,268 5 7	1,913 13 6	1,423 14 0	17 6 0	.....
Pegu division—												
Hanthawaddy	145 0 0	.....	1,426 11 6	311 3 9	2,815 11 3	16·87	529	1,07,829 5 2	1,466 9 0	969 0 0	.....	.....
Pegu	240 0 0	.....	1,146 10 10	.....	2,979 4 11	12·99	710	1,70,427 11 5	2,452 0 0	1,473 4 0	22 8 0	252 14 4
Tharrawaddy	60 0 0	.....	906 12 2	.....	1,773 6 2	18·75	449	54,841 13 2	1,780 6 0	1,358 4 0	33 12 0	7 0 0
Prome	209 8 0	.....	1,325 0 0	283 6 9	2,750 2 9	32·28	407	4,416 13 2	872 0 0	697 8 0	.....	.....
Commissioner of Pegu	56 8 0	.....	1,152 11 0	47 5 0	2,304 14 0	12·13	...	.....	.....	.....	.....	...
Total ...	711 0 0	.....	5,957 13 6	643 15 6	12,623 7 1	16·69	2,095	3,37,515 10 11	6,570 15 0	4,498 0 0	56 4 0	259 14 4
Irrawady division—												
Henzada	454 0 0	.....	3,535 8 10	1,088 12 9	6,891 10 7	31·52	430	47,141 6 1	1,146 2 0	784 4 0	.....	50 0 0
Bassein	415 8 0	.....	4,526 8 6	.....	7,685 1 6	6·29	813	1,23,419 10 6	1,963 6 6	1,048 0 0	7 0 0	22 8 0
Thôngwa	361 0 0	.....	1,329 12 10	470 14 0	4,289 11 10	15·15	1,139	1,70,499 3 7	2,391 4 0	1,702 8 0	21 0 0	25 0 0
Thayetmyo	204 8 0	.....	896 3 5	221 12 6	2,061 1 5	19·50	280	40,898 10 1	628 8 0	437 12 0	2 12 0	.....
Commissioner of Irrawaddy	48 0 0	.....	422 12 6	.....	1,084 8 6	11·86	..	.....	.....	.....	.....	.....
Total ...	1,483 0 0	.....	10,750 14 1	1,781 6 9	21,913 1 10	11·43	2,662	3,81,958 14 3	6,129 4 6	3,972 8 0	30 12 0	97 8 0
Tenasserim division—												
Amherst	237 0 0	.....	819 0 0	.....	1,684 12 0	13·22	788	95,843 8 3	2,025 12 0	1,148 9 0	15 0 8	57 0 0
Shwegyin	187 8 0	.....	572 0 0	.....	1,794 14 0	11·05	479	57,932 10 0	808 6 0	634 8 0	20 0 0	15 0 0
Toungoo	64 0 0	.....	653 13 0	.....	1,351 5 0	18·34	201	28,884 11 3	1,027 8 0	615 0 0	60 0 0	5 0 0
Tavoy	110 0 0	.....	226 0 9	183 5 3	836 0 0	21·41	138	20,367 15 8	254 0 0	163 0 0	2 8 0	.....
Mergui	91 8 0	3 2 0	337 6 0	67 2 3	707 4 3	19·38	235	16,749 9 6	373 8 0	283 8 0	.....	.....
Salween	5 0 0	1 0 0	.....	1 8 0	63 5 0	8·90	14	6,238 0 3	31 1 0	29 0 0	7 0 0	.....
Judge of Moulmein	.....	.....	.....	.....	.....	...	1,055	5,96,424 0 6	1,790 13 0	1,275 3 0	2 8 0	.....
Commissioner of Tenasserim	14 0 0	.....	295 10 1	25 0 0	616 5 1	5·60	...	.....	.....	.....	.....	.....
Total ...	709 0 0	4 2 0	2,843 15 10	277 6 6	7,053 13 4	12·70	2,910	8,22,446 7 5	6,311 0 0	4,148 12 0	107 0 0	77 0 0
Judicial Commissioner	427 8 0	.....	5,373 0 8	1,543 13 0	10,570 5 8	25·11	...	.....	.....	.....	.....	.....
Grand Total ...	3,582 8 0	8 4 0	26,114 13 7	4,456 8 1	55,209 11 11	7·22	8,427	16,38,189 6 2	20,925 1 0	14,043 2 0	211 6 0	434 6 4
Rangoon Small Cause Courts	.....	.....	.....	.....	.....	...	2,273	3,50,707 8 7	4,178 11 5	2,878 5 0	4 8 0	16 0 0
Recorder's Court	.....	.....	.....	.....	.....	...	162	1,94,945 10 3	903 0 0	710 0 0	28 0 0	2,142 0 0
Special Court	48 0 0	.....	1,330 3 0	.....	2,841 7 0	5·19	...	.....	.....	.....	.....	.....
Total ...	48 0 0	.....	1,330 3 0	.....	2,841 7 0	5·19	2,435	5,54,653 2 10	5,081 11 5	3,588 5 0	32 8 0	2,158 0 0
Grand Total ...	3,630 8 0	8 4 0	27,445 0 7	4,456 8 1	58,051 2 11	7·09	10,862	21,92,842 9 0	26,006 12 5	17,631 7 0	243 14 0	2,592 6 4

Statement showing the total value in litigation and costs for all classes of Civil cases, including executions of decrees and other miscellaneous applications, disposed of in the different classes of Courts in Lower Burma for the year 1891—concluded.

Name of district or Court.	Execution of decrees—concluded.			Miscellaneous.							
	Costs of cases—concluded.		Percentage of total costs to total value.	Costs of cases.							Percentage of total costs to total value.
	Total amount of fees for commissions and other miscellaneous charges.	Total.		Total number of cases.	Total value of cases.	Total amount of court-fees, including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total.	
1	26	27	28	29	30	31	32	33	34	35	36	37
	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
Arakan division—												
Akyab	93 2 0	1,517 6 0	1·80	219	74,886 14 1	606 9 0	394 4 0	45 4 0	96 2 3	22 12 0	770 11 3	1·03
Kyaukpyu	22 4 3	360 6 3	4·20	72	10,746 10 10	129 4 0	85 0 0	67 10 0	37 8 0	.....	294 6 0	2·46
Sandoway	.....	168 13 6	5·30	35	4,799 4 0	65 13 0	36 4 0	32 14 0	115 0 0	3 6 0	217 1 0	4·52
Northern Arakan	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Commissioner of Arakan	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Total ...	115 6 3	2,046 9 9	2·13	326	90,432 12 11	811 10 0	515 8 0	145 12 0	268 10 3	26 2 0	1,282 2 3	1·28
Pegu division—												
Hanthawaddy	98 9 0	1,565 2 0	1·45	291	71,550 8 6	701 14 0	487 12 0	339 1 0	1,231 8 0	143 8 0	2,415 15 0	3·38
Pegu	75 0 0	2,802 6 4	1·64	429	91,764 11 0	1,321 12 6	872 12 0	454 12 0	889 15 6	37 8 0	2,703 15 6	2·95
Tharrawaddy	5 4 0	1,826 6 0	3·33	219	24,789 6 0	689 12 0	324 4 0	264 5 0	981 8 0	3 8 0	1,939 1 0	7·82
Prome	144 14 0	1,016 14 0	23·02	268	26,757 6 6	555 14 0	344 8 0	208 7 6	300 0 0	58 14 0	1,123 3 6	4·20
Commissioner of Pegu	.....	.....	...	5	.....	5 0 0	.....	.....	17 0 0	.....	22 0 0	...
Total ...	323 11 0	7,210 12 4	2·14	1,212	2,14,862 0 0	3,274 4 0	2,029 4 0	1,266 9 6	3,419 15 6	243 6 0	8,204 3 0	3·82
Irrawaddy division—												
Henzada	21 7 0	1,217 9 0	2·58	210	37,571 0 2	437 4 0	255 8 0	148 8 0	687 1 7	15 5 3	1,288 2 10	3·43
Bassein	672 7 8	2,665 6 2	2·16	665	1,76,620 14 7	1,384 14 0	813 6 0	434 12 0	1,545 4 0	80 2 0	3,445 0 0	1·92
Thôngwa	342 4 0	2,779 8 0	1·63	465	1,04,231 4 1	983 8 0	680 8 0	311 4 0	567 12 0	43 0 0	1,905 8 0	1·83
Thayetmyo	9 12 0	641 0 0	1·57	202	23,626 2 3	508 13 0	280 6 0	138 10 0	308 8 0	30 12 0	906 11 0	3·84
Commissioner of Irrawaddy	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Total ...	1,045 14 8	7,303 7 2	2·02	1,542	3,42,049 5 1	3,314 7 0	2,029 12 0	1,053 2 0	3,008 9 7	169 3 3	7,545 5 10	1·69
Tenasserim division—												
Amherst	.....	2,097 12 0	2·19	329	57,987 13 4	908 4 0	545 4 0	213 10 0	637 0 0	.....	1,758 14 0	3·03
Shwegyin	7 8 0	850 14 0	1·47	221	43,522 13 3	388 2 0	242 4 0	179 0 0	287 0 0	1 0 0	855 2 0	1·96
Toungoo	20 0 0	1,112 8 0	3·85	107	34,024 5 8	556 14 0	187 2 0	128 12 0	382 8 0	5 0 0	1,073 2 0	3·15
Tavoy	19 5 0	275 13 0	1·36	82	83,891 5 6	191 4 0	131 12 0	31 0 0	12 13 0	4 3 11	229 4 11	·28
Mergui	.....	373 8 0	2·23	69	10,803 10 3	168 8 0	98 8 0	83 4 0	215 0 0	2 9 0	468 12 0	4·34
Salween	.....	38 1 0	·61	5	6,729 4 0	31 11 0	11 0 0	9 8 0	.....	.....	41 3 0	0·61
Judge of Moulmein	681 8 0	2,474 13 0	·41	262	2,57,885 7 3	7,660 11 0	300 8 0	137 8 0	799 0 0	314 0 0	8,911 3 0	3·46
Commissioner of Tenasserim	.....	.....	...	1	1,500 0 0	5 0 0	3 0 0	.....	.....	.....	5 0 0	·33
Total ...	728 5 0	7,223 5 0	·88	1,076	4,96,344 13 3	9,910 6 0	1,519 6 0	782 10 0	2,333 5 0	326 3 11	13,352 8 11	2·69
Judicial Commissioner	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Grand Total ...	2,213 4 11	23,784 2 3	1·47	4,156	11,43,688 13 3	17,310 11 0	6,093 14 0	3,248 1 6	9,030 8 4	764 15 2	30,354 4 0	2·43
Rangoon Small Cause Courts	525 0 11	4,724 4 4	·31	1,724	41,543 12 0	919 9 0	399 0 0	503 0 0	1,118 0 0	10 0 0	2,530 9 0	6·14
Recorder's Court	2,000 13 0	5,073 13 0	2·60	354	1,74,427 7 2	2,357 12 0	820 8 0	319 0 0	6,001 0 0	2,355 0 0	11,053 12 0	6·33
Special Court	.....	.....	...	...	.....	.....	.....	.....	.....	.....	.....	...
Total ...	2,525 13 11	9,798 1 4	1·77	2,078	2,15,971 3 2	3,277 5 0	1,219 8 0	822 0 0	7,119 0 0	2,365 0 0	13,583 5 0	6·29
Grand Total ...	4,739 2 10	33,582 3 7	1·55	6,234	13,59,660 0 5	20,588 0 0	7,313 6 0	4,070 1 6	16,149 8 4	3,129 15 2	43,937 9 0	5·00

UPPER BURMA APPENDICES.

JUDICIAL STATEMENT No. 1 (CIVIL).

Showing the number of Judicial divisions and the number of Officers exercising Appellate or Original Civil Jurisdiction in Upper Burma on the last day of the year 1891 with the cost of Tribunals.

Name of province.		Area in square miles.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of districts.	Number of districts.	Number of sub-districts.	TOTAL NUMBER OF OFFICERS EXERCISING ORIGINAL OR APPELLATE JURISDICTION. Judges of Chief Court of province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of districts.	Judges of District Courts other than Chief Courts.	Judges of other subordinate Courts.	TOTAL NUMBER OF CASES DECIDED. Original. Regular.	Original. Miscellaneous.	Appeals. Regular.	Appeals. Miscellaneous.	Total receipts of the Courts	Total charges of the Courts.	Remarks.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
UPPER BURMA. Territory subject to the High Court.	Civil ...	83,473	3,063,426	4	18*	47	1	4	18*	...	150	9,403	...	573	...	Rs. A. P. 1,24,906 6 3	Rs. A. P. 4,19,794 13 10	
	Criminal...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Revenue...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Territory not subject to the High Court.	Civil ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Criminal...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Revenue...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Total ...		83,473	3,063,426	4	17	47	1	4	18	...	150	9,403	...	573	...	1,24,906 6 3	4,19,794 13 10	

Grades of Judicial Officers.	European.	Native.
1.—Officers exercising both Original and Appellate Jurisdiction.		
Judicial Commissioner	1	...
Commissioners	4	...
District Judges	17	...
Assistant Commissioners with appellate powers (section 78 (3) of the Upper Burma Civil Justice Regulation).	2	...
2.—Officers exercising Original Jurisdiction only.		
Civil Judge, Mandalay	1	...
Small Cause Court Judge	1	...
Assistant Commissioners	12	...
Extra Assistant Commissioners ...	19	4
Myoôks	11	111

* Including Mandalay Town.

JUDICIAL STATEMENT No. 7 (CIVIL).

Statement showing the number and description of Civil Suits instituted in the Civil Courts of Upper Burma for the year 1891.

Class of Courts.	SUITS FOR MONEY OR MOVEABLE PROPERTY.										SUITS UNDER THE RENT LAW.								TITLE AND OTHER SUITS.														
	Contract in writing.	Contract not in writing.	On account stated.	Money had and received.	Goods sold.	Wages, work, and materials.	Breach of contract not mentioned above.	Rent not falling under the rent law.	Moveable property or value thereof.	Damages.	Arrears of rent with or without ejectment or cancelment of lease.	Enhancement or abatement of rent.	Relating to distraint.	Damages for extortion, or withholding receipts, or on account of illegal restraint or other cause.	For pottas or kabulyats.	For ejectment or recovery of possession.	For recovery of money or accounts from agents.	All other suits under the law not included above.	Suits for immovable property.	Suits for declaratory decrees.	Other suits under the Specific Relief Act.	Suits to declare and establish rights to real property, including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside judgments, contracts, or obligations on the ground of fraud.	Suits for dissolution of marriage.	Suits for enforcement of matrimonial rights.	Suits for partition.	Suits relating to shipping.	Suits relating to religion and caste.	Administration suits.	Interpleader suits.	Dissolution of partnership.	Suits under section 231, Act X of 1865 (also Hindu Wills Act).	Other suits not falling under any of the previous heads.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
Unpaid tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Township Courts	1,398	1,123	94	379	1,073	331	...	267	851	363	...	...	...	...	...	...	...	...	1,310	3	1	5	1	12	...	7	137	44	104	...	...	1	...	1	...	9	7,514
Subdivisional tribunals ...	174	43	18	42	79	32	...	21	58	12	...	...	...	...	...	...	...	...	179	5	...	3	1	7	...	3	12	7	24	...	...	...	...	2	...	3	725
Cantonment Judge	3	11	1	24	19	23	...	3	2	6	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	92
Civil Court, Mandalay — Superior side ...	53	2	4	4	5	3	...	3	3	6	...	...	...	...	...	...	...	...	76	3	2	...	2	1	1	...	13	4	9	...	...	6	...	4	...	...	204
Civil Court, Mandalay — Small Cause side	338	75	3	99	171	85	...	48	19	7	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	845
Chief Courts of districts ...	5	...	2	1	2	...	...	1	3	3	...	...	...	...	...	...	...	...	5	...	...	...	...	...	...	...	...	1	...	...	...	14	...	...	...	1	38
Commissioners' Courts ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	1,971	1,254	122	549	1,349	474	...	343	936	397	...	...	...	...	...	...	...	...	1,570	11	3	8	4	20	1	10	162	56	137	...	...	21	...	7	...	13	9,418

JUDICIAL STATEMENT No. 8 (CIVIL).

Showing the number and value of Suits instituted in the Civil Courts in Upper Burma for the year 1891.

Class of Court.	NUMBER OF SUITS INSTITUTED IN THE DIFFERENT COURTS.									Total value of suits.	Remarks.
	Not exceeding Rs. 10.	Not exceeding Rs. 50.	Not exceeding Rs. 100.	Not exceeding Rs. 500.	Not exceeding Rs. 1,000.	Not exceeding Rs. 5,000.	Not exceeding Rs. 10,000.	Exceeding Rs. 10,000.	Number of suits, the value of which cannot be estimated in money.		
1	2	3	4	5	6	7	8	9	10	11	12
										Rs. A. P.	
Township Courts	946	3,542	1,638	1,190	1	...	...	...	197	4,47,608 6 2	
Subdivisional tribunals	39	147	95	276	86	50	4	1	27	2,96,186 9 7	
Cantonment Judge	28	44	14	6	...	...	...	...	...	2,992 3 0	
Civil Court, Mandalay — Superior side	3	10	7	41	56	45	9	3	30	2,56,650 11 1	
Civil Court, Mandalay — Small Cause side ...	129	363	142	211	...	...	...	...	...	70,552 7 8	
Chief Courts of districts	...	6	7	14	6	2	...	...	3	13,639 6 6	
Total ...	1,145	4,112	1,903	1,738	149	97	13	4	257	10,87,629 12 0	

JUDICIAL STATEMENT No. 9 (CIVIL).

Showing the general result of the trial of Civil Suits in the Courts of Original Jurisdiction in Upper Burma for the year 1891.

Part I.—Civil Suits.

Class of tribunal.	Total number of suits before the Courts.	Number of suits disposed of											Pending at the close of the year.	Number of cases pending more than three months at the close of the year.	Average duration of suits.		Remarks.
		Transferred to Courts in other provinces.	Without trial.	Without contest.				On reference to arbitration.		With contest.					Contested.	Uncontested.	
				Compromised.	Decreed on confession.	Decreed *ex-parte*.	Dismissed *ex-parte*.	For plaintiff.	For defendant.	Judgment for plaintiff in whole or in part.	Judgment for defendant.						
1	2	3	4	5	6	7	8	9	10	11	12		13	14	15	16	17
Unpaid tribunals	...	...	...	...	...	...	...	...	...	...	...		...	...	...	...	
Township Courts	7,757	...	1,116	1,283	824	600	284	120	35	2,304	908		283	12	19	13	
Subdivisional tribunals	807	...	69	66	81	84	18	18	11	264	148		48	3	33	19	
Cantonment Judge	23	...	17	2	19	10	5	...	...	33	6		1	...	10	10	
Civil Court, Mandalay — Superior side ...	250	...	33	11	56	46	...	...	...	42	36		26	8	83	69	
Civil Court, Mandalay — Small Cause side ...	686	...	154	61	143	278	1	...	...	122	61		66	11	18	15	
Chief Courts of districts	35	...	2	2	1	...	...	1	...	11	17		1	...	30	11	
Commissioners' Courts	...	...	...	...	...	...	...	...	...	...	...		...	...	...	...	
Total ...	9,828	...	1,391	1,425	1,124	1,018	308	139	46	2,776	1,176		425	34	20	31	

Statement No. 9 (Civil), Part II, Miscellaneous Cases (Judicial), for the year 1891—Blank.

JUDICIAL STATEMENT NO. 10 (CIVIL).

Showing the business of the Civil Appellate Courts in Upper Burma for the year 1891.

Part I.—Appeals from Decrees.

Class of Court.	Total number of appeals before the Courts.	Transferred to Courts in other provinces.	Appeals summarily rejected.	Dismissed for default or otherwise not prosecuted.	HEARD EX-PARTE.				CONTESTED.				Pending.	Of those pending for more than three months.	Average duration of appeals.	Objections under section 561 of Act XIV of 1882.	Remarks.
					Confirmed.	Modified.	Reversed.	Remanded.	Confirmed.	Modified.	Reversed.	Remanded.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Appellate Courts other than Chief Courts of districts.	2	...	...	...	...	...	...	...	2	...	...	...	...	...	61	...	
Chief Appellate Courts of districts	585	...		25	35	3	8	1	287	39	138	15	28	3	31	...	
Courts of Subdivisional tribunals	14	...	...	...	...	...	1	...	8	...	3	2	...	...	18	...	
Total ...	601	...	6	25	35	3	9	1	297	39	141	17	28	3	31	...	

Statement No. 10 (Civil), Part II, for the year 1891.—Blank.

JUDICIAL STATEMENT NO. 11 (CIVIL).

Statement showing the result of proceedings on applications for the execution of the decrees of the Civil Courts in Upper Burma in the year 1891.

Class of tribunal.	Total number of applications for the execution of decrees before the Courts.	APPLICATIONS DISPOSED OF				Pending at the end of the year.	Number of applications pending more than three months at the close of the year.	AMOUNT REALIZED		NUMBER OF APPLICATIONS											
		By transfer.	Satisfaction obtained in full.	Satisfaction obtained in part.	Wholly infructuous.			With the issue of process.	Without the issue of process.	On which the judgment-debtor was imprisoned.	On which the judgment-debtor was arrested but released without imprisonment.	On which moveable property		On which immoveable property			On which possession was given		On which specific performance was enforced.	On which partition was effected.	On which execution was effected otherwise than in the preceding columns.	Remarks.
												Was sold.	Was attached but subsequently released.	Was sold.	Was dealt with under section 305, 322, or 326, Act XIV of 1882.	Was attached but subsequently released under section 275.	Of moveables.	Of immoveables.				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
								Rs. A. P.	Rs. A. P.													
Unpaid tribunals	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Township Courts	966	47	597	171	100	97	10	42,712 14 3	672 4 0	...	...	156	373	50	4	122	16	26	4	...	73	
Subdivisional tribunals ...	292	22	162	55	46	30	2	36,554 12 8	3,614 15 4	...	...	28	60	19	2	63	4	27	1	...	50	
Cantonment Judge	23	...	12	7	1	3	...	1,086 5 0	...	...	...	15	2	...	...	...	...	...	...	...	2	
Civil Court of Mandalay. — Superior side.	297	19	41	121	114	21	...	35,981 12 2	1,217 15 9	1	10	21	4	44	...	8	61	12	...	1	...	
Civil Court of Mandalay. — Small Cause side.	231	29	102	44	70	15	...	6,827 4 7	660 5 0	3	14	22	11	...	...	...	96	...	...	...	...	
Chief Courts of districts ...	23	...	15	2	5	1	...	2,826 7 4	...	...	...	1	6	1	...	4	1	2	1	...	1	
Total ...	1,832	117	929	400	336	167	12	1,25,989 8 0	6,165 8 1	4	24	243	465	114	6	197	178	67	6	1	126	

Statement showing the total value in litigation and costs for all classes of Civil Cases, including executions of decrees and other miscellaneous applications disposed of in the different classes of Courts in Upper Burma during the year 1891.

Class of Court.	ORIGINAL.									APPEAL.							
			Costs of cases.									Costs of cases.					
	Total number of cases.	Total value of cases.	Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total (columns 4, 6, 7, and 8).	Percentage of total costs to total value.	Total number of cases.	Total value of cases.	Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total (columns 13, 15, 16, and 17).
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
District Courts.																	
Northern — Mandalay	332	16,520 13 3	1,864 1 0	362 0 0	82 5 0	107 8 0	20 0 0	2,073 14 0	12·55	12	1,050 0 0	61 12 0	6 8 0	.....	42 0 0	32 0 0	135 12 0
Northern — Bhamo	143	8,078 1 4	955 2 0	166 4 0	47 6 0	.....	.....	1,002 8 0	12·40	3	2,797 0 0	178 14 0	6 8 0	.....	.....	.....	178 14 0
Northern — Katha	177	14,734 9 10	1,352 7 0	213 8 0	59 2 0	16 4 0	.....	1,427 13 0	9·69	2	1,329 7 0	89 0 0	8 0 0	.....	.....	15 12 0	104 12 0
Northern — Ruby Mines	104	10,688 3 4	903 10 0	136 0 0	93 10 0	.....	3 6 0	1,000 10 0	9·37	6	561 10 0	60 10 0	10 0 0	.....	.....	.....	60 10 0
Northern — Shwebo	414	31,515 7 6	2,900 9 0	554 3 0	38 4 0	152 1 7	.....	3,090 14 7	9·81	18	5,464 11 0	428 10 0	49 0 0	.....	.....	.....	498 10 0
Northern — Commissioner, Northern Division.	...	.....	.....	.....	.....	.....	.....	.....	.....	1	920 0 0	71 0 0	2 0 0	.....	.....	.....	71 0 0
Civil Courts, Mandalay — Superior side	224	3,26,849 8 7	16,764 10 0	694 12 0	548 13 0	15,491 0 6	568 8 0	33,282 15 6	10·18	...	.....	.....	.....	.....	.....	.....	.....
Civil Courts, Mandalay — Small Cause side.	820	67,866 15 0	6,355 10 0	851 12 0	169 13 0	3,235 4 0	326 4 0	10,088 15 0	14·86	...	.....	.....	.....	.....	.....	.....	.....
Central — Ye-u	213	13,219 12 3	1,166 4 0	189 8 0	53 6 0	10 0 0	.....	1,229 10 0	9·30	11	1,531 10 0	146 12 0	23 0 0	.....	.....	.....	146 12 0
Central — Sagaing	501	39,752 14 6	3,933 9 0	693 8 0	254 8 0	1,268 4 0	55 13 0	5,512 2 0	13·87	41	6,816 6 0	683 4 0	95 0 0	.....	232 0 0	31 4 0	966 8 0
Central — Lower Chindwin	433	30,097 9 4	3,617 13 0	533 0 0	253 6 0	285 7 2	125 0 0	4,281 10 2	14·23	38	6,128 7 0	518 2 0	90 0 0	7 8 0	321 14 7	.....	847 8 7
Central — Upper Chindwin	236	16,173 6 6	1,581 2 0	181 0 0	7 10 0	.....	.....	1,588 12 0	9·83	5	1,028 0 0	88 6 0	16 0 0	.....	.....	.....	88 6 0
Central — Commissioner, Central Division.	...	.....	.....	.....	.....	.....	.....	.....	.....	1	1,689 0 0	112 0 0	2 0 0	.....	.....	2 0 0	114 0 0
South-Eastern — Myingyan	1,009	1,38,917 1 8	10,862 14 0	1,412 5 0	521 6 0	1,958 0 0	96 0 0	13,438 4 0	9·67	83	23,490 10 6	1,958 3 0	281 0 0	1 2 0	254 8 0	.....	2,213 13 0
South-Eastern — Pakôkku	932	76,953 15 10	7,930 12 0	947 0 0	273 10 0	1,596 4 0	.....	8,900 10 0	11·57	73	12,653 5 5	1,029 12 0	161 0 0	.....	110 0 0	.....	1,139 12 0
South-Eastern — Minbu	673	66,651 8 2	6,370 3 0	1,096 8 0	600 12 0	869 10 6	68 12 0	7,939 5 6	14·91	64	23,634 4 0	2,129 4 0	185 0 0	14 6 0	815 12 0	.....	2,950 6 0
South-Eastern — Magwe	800	52,980 10 3	5,794 6 0	1,082 0 0	461 12 0	202 0 0	37 4 0	6,585 6 0	12·43	43	9,028 9 8	738 14 0	111 8 0	.....	.....	.....	738 14 0
South-Eastern — Kyaukse	323	23,253 2 5	2,192 6 0	403 11 0	158 14 6	274 8 0	.....	2,625 12 6	11·29	19	3,409 1 11	295 12 0	16 0 0	.....	56 12 0	.....	352 8 0
South-Eastern — Meiktila	733	56,682 13 4	5,353 4 0	666 4 0	148 15 0	525 0 0	388 2 0	6,395 5 0	11·28	28	5,679 4 0	512 9 0	55 0 0	.....	11 0 0	2 8 0	526 1 0
South-Eastern — Yamèthin	862	71,182 3 1	7,334 10 0	1,083 8 0	571 5 6	852 8 0	104 8 0	8,892 15 6	12·45	98	12,300 3 0	1,010 4 0	239 0 0	4 11 6	699 8 0	52 0 0	1,766 7 6
South-Eastern — Pyinmana	514	74,830 7 7	6,170 13 0	854 0 0	263 12 0	2,029 15 0	2 8 0	8,587 0 0	11·41	27	14,110 15 3	864 12 0	40 0 0	.....	491 4 0	9 8 0	1,365 8 0
Total	9,403	11,36,949 3 9	92,504 1 0	12,110 11 0	4,608 10 0	28,373 10 9	1,776 1 0	1,27,862 6 9	11·25	573	1,33,613 8 9	10,977 12 0	1,396 8 0	27 11 6	3,034 10 7	165 0 0	14,205 2 1

Statement showing the total value in litigation and costs for all classes of Civil Cases, including executions of decrees and other miscellaneous applications disposed of in the different classes of Courts in Upper Burma during the year 1891—concluded.

Class of Courts.	Percentage of total costs to total value.	Execution of decrees.								Percentage of total costs to total value.	Miscellaneous.								Percentage of total costs to total value.
		Total number of cases.	Total value of cases.	Costs of cases.							Total number of cases.	Total value of cases.	Costs of cases.						
				Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total (columns 23, 24, 25, and 26).				Total amount of court-fees including process-fees.	Total amount of process-fees.	Total amount of diet-money paid to witnesses.	Total amount of advocates' fees.	Total amount of fees for commissions and other miscellaneous charges.	Total (columns 31, 32, 33, and 35).	
1	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37
	Rs.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs.
District Courts.																			
Northern — Mandalay	12·95	61	8,282 11 6	133 9 0	66 8 0	1 8 0	...	9 8 0	144 9 9	1·75	...	.....	.....	.....	.....	.....	.....	.....	...
Northern — Bhamo	6·40	18	5,802 3 7	71 0 0	42 0 0	3 0 0	...	10 8 0	84 8 0	1·45	...	.....	.....	.....	.....	.....	.....	.....	...
Northern — Katha	7·95	12	1,475 15 0	36 9 0	25 0 0	.....	...	.....	36 9 0	2·51	...	.....	.....	.....	.....	.....	.....	.....	...
Northern — Ruby Mines	10·85	32	3,505 13 1	76 0 0	60 0 0	2 0 0	...	.....	78 0 0	2·22	...	.....	.....	.....	.....	.....	.....	.....	...
Northern — Shwebo	7·85	45	7,472 6 6	139 0 0	68 0 0	.....	...	.....	139 0 0	1·86	...	.....	.....	.....	.....	.....	.....	.....	...
Northern — Commissioner, Northern Division.	9·72	...	.....	.....	.....	.....	...	.....	.....	.....	...	.....	.....	.....	.....	.....	.....	.....	...
Civil Court, Mandalay — Superior side	.....	267	2,16,048 10 10	566 0 0	337 8 0	.....	209 0 0	.....	775 0 0	·36	...	.....	.....	.....	.....	.....	.....	.....	...
Civil Court, Mandalay — Small Cause side.	.....	225	34,722 7 6	489 8 0	283 8 0	.....	...	.....	489 8 0	1·41	...	.....	.....	.....	.....	.....	.....	.....	...
Central — Ye-u	9·60	15	1,182 12 7	35 8 0	24 0 0	.....	...	.....	35 8 0	2·96	...	.....	.....	.....	.....	.....	.....	.....	...
Central — Sagaing	14·17	84	9,089 8 2	245 0 0	184 0 0	.....	...	1 8 0	246 8 0	2·71	...	.....	.....	.....	.....	.....	.....	.....	...
Central — Lower Chindwin	13·82	48	6,273 0 0	172 2 0	89 0 0	.....	...	.....	172 2 0	2·74	...	.....	.....	.....	.....	.....	.....	.....	...
Central — Upper Chindwin	8·56	33	4,360 13 7	149 9 0	60 0 0	1 0 0	...	.....	150 9 0	3·46	...	.....	.....	.....	.....	.....	.....	.....	...
Central — Commissioner, Central Division.	6·75	...	.....	.....	.....	.....	...	.....	438 8 0	·54	...	.....	.....	.....	.....	.....	.....	.....	...
									.....	2·22	...	.....	.....	.....	.....	.....	.....	.....	...
South-Eastern — Myingyan	9·42	148	80,442 4 0	438 8 0	358 8 0	.....	...	.....	.....	.....	...	.....	.....	.....	.....	.....	.....	.....	...
South-Eastern — Pakôkku	9·01	118	12,466 2 1	389 2 0	270 2 0	4 0 0	15 0 0	12 2 0	420 4 0	3·37	...	.....	.....	.....	.....	.....	.....	.....	...
South-Eastern — Minbu	12·52	83	12,709 12 11	294 14 0	210 0 0	2 2 0	...	.....	297 0 0	2·34	...	.....	.....	.....	.....	.....	.....	.....	...
South-Eastern — Magwe	8·18	94	10,565 12 4	250 8 0	179 8 0	.....	...	.....	250 8 0	2·37	...	.....	.....	.....	.....	.....	.....	.....	...
South-Eastern — Kyauksè	10·33	44	8,471 15 0	143 10 0	68 8 0	10 0 0	...	14 0 0	167 10 0	1·98	...	.....	.....	.....	.....	.....	.....	.....	...
South-Eastern — Meiktila	9·26	132	14,766 0 4	345 8 0	265 0 0	.....	...	13 0 0	358 8 0	2·42	...	.....	.....	.....	.....	.....	.....	.....	...
South-Eastern — Yamèthin	14·36	98	15,716 8 9	334 13 0	207 8 0	29 12 0	25 0 0	3 8 0	393 1 0	2·50	...	.....	.....	.....	.....	.....	.....	.....	...
South-Eastern — Pyinmana	9·67	108	24,175 7 7	278 0 0	220 0 0	.....	...	6 0 0	284 0 0	1·16	...	.....	.....	.....	.....	.....	.....	.....	...
Total	10·63	1,665	4,77,530 5 4	4,588 12 0	3,018 10 0	53 6 0	249 0 0	70 2 0	4,961 4 0	1·04	...	.....	.....	.....	.....	.....	.....	.....	...